

**BLM DISORGANIZATION: EXAMINING THE
PROPOSED REORGANIZATION AND
RELOCATION OF THE BUREAU OF LAND
MANAGEMENT HEADQUARTERS TO
GRAND JUNCTION, COLORADO**

OVERSIGHT HEARING

BEFORE THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

Tuesday, September 10, 2019

Serial No. 116-21

Printed for the use of the Committee on Natural Resources



Available via the World Wide Web: <http://www.govinfo.gov>

or

Committee address: <http://naturalresources.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

37-679 PDF

WASHINGTON : 2019

COMMITTEE ON NATURAL RESOURCES

RAÚL M. GRIJALVA, AZ, *Chair*
DEBRA A. HAALAND, NM, *Vice Chair*
GREGORIO KILILI CAMACHO SABLAN, CNMI, *Vice Chair, Insular Affairs*
ROB BISHOP, UT, *Ranking Republican Member*

Grace F. Napolitano, CA	Don Young, AK
Jim Costa, CA	Louie Gohmert, TX
Gregorio Kilili Camacho Sablan, CNMI	Doug Lamborn, CO
Jared Huffman, CA	Robert J. Wittman, VA
Alan S. Lowenthal, CA	Tom McClintock, CA
Ruben Gallego, AZ	Paul A. Gosar, AZ
TJ Cox, CA	Paul Cook, CA
Joe Neguse, CO	Bruce Westerman, AR
Mike Levin, CA	Garret Graves, LA
Debra A. Haaland, NM	Jody B. Hice, GA
Jefferson Van Drew, NJ	Aumua Amata Coleman Radewagen, AS
Joe Cunningham, SC	Daniel Webster, FL
Nydia M. Velázquez, NY	Liz Cheney, WY
Diana DeGette, CO	Mike Johnson, LA
Wm. Lacy Clay, MO	Jennifer González-Colón, PR
Debbie Dingell, MI	John R. Curtis, UT
Anthony G. Brown, MD	Kevin Hern, OK
A. Donald McEachin, VA	Russ Fulcher, ID
Darren Soto, FL	
Ed Case, HI	
Steven Horsford, NV	
Michael F. Q. San Nicolas, GU	
Matt Cartwright, PA	
Paul Tonko, NY	
<i>Vacancy</i>	

David Watkins, *Chief of Staff*
Sarah Lim, *Chief Counsel*
Parish Braden, *Republican Staff Director*
<http://naturalresources.house.gov>

CONTENTS

	Page
Hearing held on Tuesday, September 10, 2019	1
Statement of Members:	
Bishop, Hon. Rob, a Representative in Congress from the State of Utah, prepared statement of	75
Grijalva, Hon. Raúl M., a Representative in Congress from the State of Arizona	1
Prepared statement of	3
Lamborn, Hon. Doug, a Representative in Congress from the State of Colorado	4
Statement of Witnesses:	
Brown, Robin, Executive Director, Grand Junction Economic Partnership, Grand Junction, Colorado	56
Prepared statement of	58
Freemuth, John, Cecil D. Andrus Endowed Chair for Environment and Public Lands; University Distinguished Professor, Boise State University, Boise, Idaho	40
Prepared statement of	41
Pendley, William Perry, Deputy Director for Policy and Programs, Exercising Authority of the Director, Bureau of Land Management, Washington, DC	5
Prepared statement of	7
Questions submitted for the record	12
Shepard, Edward W., CR, President, Public Lands Foundation, Newberg, Oregon	45
Prepared statement of	47
Small, Hon. Tony, Vice Chairman, Ute Indian Tribal Business Committee, Fort Duchesne, Utah	49
Prepared statement of	51
Additional Materials Submitted for the Record:	
List of documents submitted for the record retained in the Committee's official files	86
Caswell, James L., Former Director of the Bureau of Land Management, Testimony for the Record	75
Coalition to Protect America's National Parks, September 4, 2019 Letter addressed to Chairman Grijalva	77
Conservation Lands Foundation, Testimony for the Record from Ann Shields, Board of Directors and Brian Sybert, Executive Director	79
Defenders of Wildlife, September 9, 2019 Letter to Chairman Cox and Ranking Member Gohmert, Subcommittee on Oversight and Investigations	80
National Parks Conservation Association, September 9, 2019 Letter to Chairmen Grijalva and Cox and Ranking Members Bishop and Gohmert	84
Submission for the Record by Representative Haaland Department of the Interior, Office of the Secretary, September 5, 2019 Letter from Tara Sweeney, Assistant Secretary of Indian Affairs addressed to Chairman Grijalva	62

OVERSIGHT HEARING ON BLM DISORGANIZATION: EXAMINING THE PROPOSED REORGANIZATION AND RELOCATION OF THE BUREAU OF LAND MANAGEMENT HEADQUARTERS TO GRAND JUNCTION, COLORADO

**Tuesday, September 10, 2019
U.S. House of Representatives
Committee on Natural Resources
Washington, DC**

The Committee met, pursuant to notice, at 10:01 a.m., in room 1324, Longworth House Office Building, Hon. Raúl M. Grijalva [Chairman of the Committee] presiding.

Present: Representatives Grijalva, Huffman, Lowenthal, Cox, Neguse, Haaland, Van Drew, Cunningham, DeGette, Soto, Tonko; Bishop, Gohmert, Lamborn, Gosar, Cook, Hice, Curtis, Hern, and Fulcher.

Also present: Representatives Norton and Tipton.

The CHAIRMAN. The Committee on Natural Resources will come to order. The Committee is meeting today to hear testimony from our invited witnesses.

Under Committee Rule 4(f), any oral opening statements at this hearing are limited to the Chair and the Ranking Minority Member. Therefore, I ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted to the Clerk by 5 p.m. today.

Hearing no objection, so ordered.

Because of the broad interest in today's subject matter, we received interest from other Members who do not sit on this Committee, but would like to participate. Therefore, I ask unanimous consent that all interested Members be allowed to join us on the dais.

If there is no objection, so ordered.

I will now turn to my opening statement and then recognize my colleague, Mr. Lamborn, to put into the record the opening statement of the Ranking Member, Mr. Bishop.

STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

The CHAIRMAN. First of all, I would like to welcome everyone to this hearing, and thank the witnesses for taking the time to join us today.

We are here to discuss what is being called a reorganization of the Bureau of Land Management. In reality, given the lack of transparency, analysis, and consultation, this appears to be

nothing more than a poorly veiled attempt to dismantle a Federal agency.

The BLM manages 245 million surface acres and 700 million acres of subsurface mineral interests, all of which belong to the American people. The Agency employs more than 9,000 people and has an annual budget of \$1.2 billion. Try to imagine a \$1.2 billion private corporation deciding to move across the country without any clear timelines, reasonable analysis, or concrete goals.

Yet, this is exactly what is happening with the Bureau of Land Management. And the BLM shareholders, the American public, should be deeply concerned.

The Department of the Interior has done nothing to alleviate concerns that this move has been hastily planned, poorly researched, and questionably motivated. In fact, one of the few responses we received from the Department was an admission that no tribal consultations have been performed, a clear neglect of the Department of the Interior's trust responsibilities.

There is no doubt that this plan fits this Administration's pattern of trying to sell out our environment and natural resources. Recent comments made by the President's Acting Chief of Staff, Mike Mulvaney, at a gathering of wealthy donors shed light on what is really going on. At the event, Mr. Mulvaney spoke about the decision to relocate two bureaus from Washington, DC to Kansas City. More than half of the experienced scientists and economists at these bureaus chose to quit instead of uprooting their families.

Referencing that, Mr. Mulvaney said, "Now, it is nearly impossible to fire a Federal worker. I know that because a lot of them work for me. But by simply saying to people we are going to take you outside the bubble, outside this liberal haven of Washington, DC, they quit. What a wonderful way to streamline government."

It is hard to consider anything this Administration does in good faith when they are so transparent about what the true motivations are.

Taking BLM staff out of DC won't help customer service, but it will make it harder for the Agency to work with anyone other than the oil and gas industry and interests. It will push many career staff to leave their roles, destroying institutional knowledge and hampering the Department's ability to meet its mandates and standards.

This isn't a close call or a partisan issue. This move is being strongly opposed, not just by the Public Lands Foundation, made up largely of bipartisan BLM retirees—which is represented here at today's hearing

The National Association of Forest Service Retirees said this move would "hamstring the agency. . . that much is clear to almost any leader who has spent his or her career managing public lands."

Jim Caswell, the most recent confirmed BLM Director in a Republican administration, said in testimony, "If implemented, the reorganization will functionally dismantle the BLM."

Hundreds of former land managers, former leaders, former agency heads, Republicans and Democrats alike, with thousands, if not tens of thousands, of years of combined experience being raised,

living, and working in the American West are speaking with one voice, and they are saying as clearly as possible that this is a terrible idea.

On the other side, we have Senator Cory Gardner and the people of Grand Junction, who admittedly do well under this plan. With all due respect to the people of Grand Junction and the Senator, I put more faith in the voices of experts at this point.

It is no coincidence that at the same time this reorganization was announced, the Administration appointed Mr. William Perry Pendley, an avowed opponent of public lands, as the acting head of BLM. They have even sent him before us today, and we welcomed him to testify.

What better way to eliminate the BLM than to push out its staff, to replace them with leadership whose writings and speeches over three decades suggest that he thinks the Agency shouldn't exist in the first place?

If this BLM organization goes through, it would represent a major win for this Administration and their 2-year-long campaign to undermine America's public lands heritage. The BLM plays an essential role in managing our public lands and protecting our public trust resources. We cannot let Secretary Bernhardt and the Acting Director turn it into a one-stop shop for companies looking to knock down public land protections on a quest to drill, mine, and graze on every ounce of public land.

I want to again thank the witnesses, and I look forward to your testimony.

[The prepared statement of Mr. Grijalva follows:]

PREPARED STATEMENT OF THE HON. RAÚL M. GRIJALVA, CHAIR, COMMITTEE ON
NATURAL RESOURCES

I would like to welcome everyone to this hearing and thank the witnesses for making the time to join us today.

We're here today to discuss what is being called a "reorganization" of the Bureau of Land Management. In reality, given the lack of transparency, analysis, and consultation this appears to be nothing more than a poorly veiled attempt to dismantle a Federal agency.

The BLM manages 245 million surface acres, and 700 million acres of subsurface mineral interests, all of which belong to the American people. The agency employs more than 9,000 people and has an annual budget of \$1.2 billion. Just try to imagine a \$1.2 billion private corporation deciding to move across the country without any clear timelines, reasonable analysis, or concrete goals.

Yet, this is exactly what is happening with the Bureau of Land Management, and the BLM's shareholders—the American public—should be deeply concerned.

The Department of the Interior has done nothing to alleviate concerns that this move has been hastily planned, poorly researched, and questionably motivated. In fact, one of the few responses we received from the Department, was an admission that no tribal consultations have been performed, a clear neglect of DOI's trust responsibilities.

There is no doubt this plan fits this administration's pattern of trying to sell out our environment and natural resources. Recent comments made by the President's Acting Chief of Staff, Mick Mulvaney, at a gathering of wealthy donors shed light on what is really going on. At that event, Mr. Mulvaney spoke about the decision to relocate two bureaus from Washington, DC to Kansas City. More than half of the experienced scientists and economists at those bureaus chose to quit instead of uprooting their families.

Referencing that, Mr. Mulvaney said, "Now, it is nearly impossible to fire a Federal worker, I know that because a lot of them work for me . . . but by simply saying to people we're going to take you outside the bubble . . . outside this liberal haven of Washington, DC . . . and they quit. What a wonderful way to streamline government."

It is hard to consider anything this administration does in good faith when they are so transparent about their true motivations.

Taking BLM staff out of DC won't help customer service, but it will make it harder for the agency to work with anyone other than the oil and gas industry. It will push many career staff to leave their roles, destroying institutional knowledge and hampering the Department's ability to meet its mandates.

This isn't a close call, or a partisan issue. This move is being strongly opposed not just by the Public Lands Foundation, made up largely of bipartisan BLM retirees, which is represented here.

The National Association of Forest Service Retirees, said this move would, "hamstring the agency. That much is clear to almost any leader who has spent his or her career managing public lands."

Jim Caswell, the most recent confirmed BLM Director in a Republican administration, sent in testimony saying, "If implemented, the reorganization will functionally dismantle the BLM."

Hundreds of former land managers, former leaders, former agency heads, Republicans and Democrats alike, with thousands if not tens of thousands of years of combined experience being raised, living, and working in the American West, are speaking with one voice, and they are saying as clearly as possible: this is a terrible idea.

On the other side, we have Senator Cory Gardner and the people of Grand Junction—who, admittedly, do quite well under this plan. With all due respect to the people of Grand Junction and the endangered Senator, I put more faith in the voices of the experts.

It's no coincidence that at the same time this reorganization was announced, the Administration appointed William Perry Pendley, an avowed opponent of public lands, as the acting head of BLM—and they have even sent him before us today to testify.

What better way to eliminate the BLM than to push out its staff and to replace them with a man whose writings and speeches over three decades suggest that he thinks the agency shouldn't exist in the first place.

If this BLM reorganization goes through, it would represent a major win for this administration and their 2-year-long campaign to undermine America's public lands heritage. The BLM plays an essential role in managing our public lands and protecting our public trust resources. We cannot let Secretary Bernhardt and Acting Director Pendley turn it into a one-stop shop for companies looking to knock down public land protections on a quest to drill, mine and graze every acre of public land.

The CHAIRMAN. I now will recognize my colleague, Mr. Lamborn, for his statement.

Sir, the time is yours.

STATEMENT OF THE HON. DOUG LAMBORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. LAMBORN. Thank you, Mr. Chairman. On behalf of Ranking Member Rob Bishop, who is on his way, but couldn't be here at this moment, I will make the following opening statement. And it will be a different perspective.

I appreciate my friend from Arizona for convening this hearing today. I, along with my fellow Republicans on this Committee, have long contended that the best land management decisions are made by those who live, work, and raise families closest to the areas impacted. I believe this move of Bureau of Land Management headquarters out West is long overdue, and will yield tremendous results for land management.

Unfortunately, based on the misleading title of today's hearing, I fear we are in store for some melodramatic hyperbole from some of my friends on the other side of the aisle. It is important that we separate political posturing from the simple realities of what we are discussing today.

The facts are quite straightforward. The BLM manages close to 250 million acres of land. An astounding 99 percent of those lands are located west of the Mississippi River. Moving BLM decision makers closer to the lands that they manage will undoubtedly improve agency efficiency, accountability, and local engagement. To argue otherwise is ignorant at best, and willfully misleading at worst.

We have already seen great success with this concept at the National Interagency Fire Center, where the BLM relocated their Assistant Director, Deputy Assistant Directors, and staff for the Fire and Aviation Program to the National Interagency Fire Center, the Nation's support center for wildland firefighting, located in Boise, Idaho. By all accounts, this relocation has increased efficiency and improved coordination efforts to combat the deadly wildfires that have continued to afflict our Western states.

These clear benefits, seen in the realm of fire activities, will most assuredly translate to other BLM functions as well. By having more leadership on the ground, the BLM will be able to respond quicker, coordinate more effectively, and manage with more clarity and on-the-ground perspective.

I think it is also important to dispel any misconception that this is somehow a partisan issue. There is broad support for this move amongst a wide variety of stakeholders from diverse political persuasions. One of the more vocal supporters of this move is a former Democratic member of this Committee and currently Governor of Colorado, Jared Polis. I would like to briefly share a video clip of his thoughts, which I believe concisely summarize the many merits of this scheduled move.

Will the Clerk show the clip?

[Video shown.]

Mr. LAMBORN. I couldn't agree more. This is a good move for BLM, this is a good move for taxpayers, and this is a great move for the West.

My hope is that today we will now evaluate the tools of this Committee and oversight functions of Congress to expand upon and improve reorganization of the Department of the Interior and work with, rather than against, the Department to improve the delivery of services to the people we represent.

With that, Mr. Chairman, I yield back.

The CHAIRMAN. Thank you very much, Mr. Lamborn.

Under Committee Rules, the Chair will now recognize Mr. William Perry Pendley, Deputy Director of Policy and Programs at the Bureau of Land Management.

Sir, thank you and welcome, and the floor is yours. Five minutes.

STATEMENT OF WILLIAM PERRY PENDLEY, DEPUTY DIRECTOR FOR POLICY AND PROGRAMS, EXERCISING AUTHORITY OF THE DIRECTOR, BUREAU OF LAND MANAGEMENT, WASHINGTON, DC

Mr. PENDLEY. Thank you, Mr. Chairman. I am here to discuss the Department of the Interior's relocation of the Bureau of Land Management.

First, however, I will address attacks on my character and misrepresentations of my 30 years as a public attorney.

On July 15, 2019, I took the oath of office to defend the Constitution and the laws of the United States, and I absolutely will do so. That oath is as important and meaningful to me as the oath I took five decades ago, when I joined the Marine Corps.

It has been asserted that I do not believe in Federal lands. That is not accurate, and is a misrepresentation of my works and beliefs. I love America's public land. I have biked, fished, hunted and lived there. It has always been my home. For me public lands are a fact of life. And as a proud and loyal member of the Trump administration, I wholeheartedly support the President and Secretary Bernhardt's crystal clear statement that we will not dispose of or transfer in a wholesale manner our public lands.

Contrary to mischaracterizations by the media, as a leader of a non-profit public interest law firm I represented, pro bono, men and women in the West who work, live on the land, who log, mine, develop energy, recreate, or draw their support from the Federal lands that surround them. I was proud to represent them in defending their constitutionally protected liberties, demanding adherence to the rule of law, and redressing their grievances: a right guaranteed every American.

In our litigation, we both defended the decisions of Federal agencies and sought to reverse Federal actions my clients found wanting. As an attorney, I take my ethical obligations very seriously. Thus, I sought out, obtained, and followed the advice of career Department ethics officials to ensure that I am in full compliance with Federal laws, rules, regulations, and President Trump's heightened ethics pledge.

Secretary Bernhardt made clear that relocation is not just about where functions are performed, but whether or not we increase our service to the American public. As to the BLM, he set a high bar. We delegate more responsibility to the field, we maximize our services to the American people, and we increase our senior presence closest to the resources that we manage.

After months of careful planning and advice from senior career leaders in the Bureau, Western states and localities, multiple-use stakeholders, and our neighbors, we will achieve these objectives by maintaining necessary core BLM functions at the headquarters in Washington, DC, optimizing the efficiency of some headquarters functions now in Washington by relocating them to state offices where they best support those offices' activities, allocating certain headquarters positions to state offices to perform state office functions, and establishing a Western headquarters in Grand Junction, Colorado.

The realignment will have many benefits. We will enhance management oversight and communication, improve customer service in partner/stakeholder engagement, increase functionality, lower lease payments, increase consolidation, and reduce travel expenses and personnel costs.

Specific positions will be identified for relocation 1 week from today, and affected employees will be notified promptly. The BLM values every employee, and we are ensuring each affected employee receives necessary information before being required to make any decision.

We assembled and made available to employees teams of skilled human resources professionals to provide knowledgeable and compassionate assistance. We also scheduled employee assistance program counselors to support, one on one, affected employees and their families throughout the day and week. Finally, for employees unable to make the move, we hope to find each a position in the Department of the Interior family, where we are working aggressively in that regard.

Nearly every Western state will realize significant benefits from this reorganization, thanks to the presence of additional experienced senior staff with the expertise to address headquarters issues and priorities, and who understand how to utilize that knowledge to advance each state's localized day-to-day operations.

More importantly, however, the BLM will be better able to serve the American people with an increased staffing presence closer to the resources that it manages.

Thank you.

[The prepared statement of Mr. Pendley follows:]

PREPARED STATEMENT OF WILLIAM PERRY PENDLEY, DEPUTY DIRECTOR, POLICY AND PROGRAMS, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

INTRODUCTION

Chairman Grijalva, Ranking Member Bishop, and members of the Committee, thank you for the opportunity to discuss the Secretary's vision for realignment of the Bureau of Land Management ("BLM" or "Bureau") and its personnel. Realigning the Bureau of Land Management's human resources closer to the lands and resources it manages has been of significant interest not only to Congress, but also its constituency of states, tribes, and local communities. The Bipartisan support the realignment has received recognizes a number of significant benefits, ranging from more informed decision making to increased efficiency and coordination. This realignment is an important undertaking that is long overdue.

BACKGROUND

When Congress created the position of Deputy Secretary (then Under Secretary) for the U.S. Department of the Interior (DOI) in 1937, it was envisioned that DOI would maintain a significant human presence in the West. Congress recognized then that the ability of the Secretary of the Interior to fulfill his statutory responsibilities was enhanced greatly by the location of Federal personnel across the vast Federal lands for which they are responsible. It was true in 1937; it is even more true today.

Congress was not alone in that realization. Over the decades, western governors, tribal leaders, and rural residents, represented by mayors, commissioners, and citizen groups, have chafed at the fact that in order to address matters of critical importance to them, they had to travel to Washington, DC to make their case. Although many BLM employees live in the West and are fellow residents, neighbors, and even friends, most are not the ultimate or even the most senior decision makers. Instead, nearly half of the Bureau's 24 SES employees, over 60 percent of the 79 current GS-15 positions, and nearly half of the 265 GS-14 positions are located in Washington, DC.

Meanwhile, through the years, the requirements imposed upon Federal land managers have increased dramatically, as a result of Acts of Congress, rulemakings by agencies, and numerous judicial decisions. While other land management agencies face similar challenges, BLM is unique because it is also responsible for 245 million surface acres, almost exclusively in the American West, and for 700 million mineral subsurface acres, primarily west of the 100th Meridian. To comply efficiently with its land management obligations, there is no substitute for being on the ground to see the land and know its people, and to develop a sense of the local impacts of BLM's decisions in a deeper and more meaningful way than one can do as a visitor.

The case for implementing Secretary Bernhardt's plan is compelling and the timing is fortuitous. Today, the BLM faces a stark choice: either it must relocate most of its positions and personnel to State Offices and a new headquarters in Grand

Junction, Colorado, or it must consolidate, into limited and costly space in the Washington, DC metropolitan area. Because BLM's lease on its M Street, S.E. location near the Washington National's baseball stadium expires on December 31, 2020, time is of the essence. Therefore, Secretary Bernhardt seeks not only to maintain the BLM's State Office structure, but also to strengthen the Bureau's organization at the state level.

Secretary Bernhardt maintains that meaningful realignment is not simply about where functions are performed; rather, it is rooted in how changes will better satisfy the needs of the American people. Therefore, Secretary Bernhardt required that any realignment must achieve the following objectives:

- Delegating more responsibility to the field;
- Maximizing services to the American people; and
- Increasing the Bureau's presence closest to the resources it manages.

After months of careful planning, consultation with those affected both inside and outside of the BLM, and reflection, those objectives will be achieved through the following actions, which are now underway:

- Maintaining the necessary core BLM headquarters functions in Washington, DC;
- Optimizing the efficiency of some headquarters positions currently based in Washington, DC by relocating them to the State Offices across the West that their work supports;
- Allocating certain positions to State Offices to perform State Office functions; and
- Establishing a BLM Western Headquarters in Grand Junction, Colorado.

Secretary Bernhardt appreciates the enthusiastic response from western Governors, Senators, Members of Congress, and state and local officials who have long recognized the important role BLM State, District, and Field Offices provide in supporting the needs of their constituents. They recognized that, under Secretary Bernhardt's realignment, the expectation is that BLM operations in every Western state will gain additional human resources, which will be invaluable as BLM serves the American people more efficiently and advances their multiple-use, sustained yield mission more effectively.

REALIGNMENT IN DETAIL

BLM assessed and analyzed each position currently performing headquarters-specific functions both in Washington, DC and in the field. A total of 550 positions were evaluated, 166 of which are already assigned to locations in the field. Of the total 550 positions, 74 will be allocated to the BLM State Offices, leaving 476 positions performing headquarters duties.

Under the BLM's implementation plan, the Deputy Director of Policy and Programs will remain in Washington, DC, along with 60 staff who will continue to perform functions in the Main Interior Building that are inherently and logically located in Washington. For example, a majority of the Bureau's staff who directly inform and perform duties tied to its budgetary responsibilities will continue to remain in Washington, DC as will a majority of the staff performing functions in its Legislative Affairs, Regulatory Affairs, Public Affairs, and Freedom of Information Act divisions.

Two hundred and twenty-two positions currently performing headquarters duties in Washington, DC will continue to accomplish these functions while being based in locations throughout the BLM's western regions and landscapes in order to optimize the BLM's presence where the needs are greatest.

Given the need for additional technical experience in the field, the Bureau will allocate 74 headquarters positions, some of which have been vacant and unfilled for several years, to perform critical duties closer to the Bureau's resources in its State Offices. The resources available for these positions will be realigned to the budgets of the appropriate State Office to address immediate needs and priorities. For example, the BLM proposes dispersing additional planning and environmental analyst resources, which formerly performed key functions for National Environmental Policy Act (NEPA) reviews at headquarters, to states with environmental analyses in process, ranging from Colorado to Oregon. Given that under Secretary's Order 3355 the responsibility for this work has shifted to BLM State Directors, it is important to allocate these resources to State Offices. In determining the proper allocation, BLM consulted with State Directors on their staffing necessities.

Lastly, the BLM Director, Deputy Director of Operations, Assistant Directors, and a few selected members of their staffs, totaling 27 positions, will be located in Grand Junction, Colorado, as part of an initiative to establish a Western Headquarters.

THE BENEFITS OF RELOCATION TO THE WEST

A. Enhanced Management, Oversight, and Communication

Relocating staff to State Offices and leadership to a Western Headquarters will strengthen the Bureau's organizational effectiveness in order to better achieve its multiple-use, sustained yield mission under FLPMA.

B. Improved Customer Service and Partner/Stakeholder Engagement

Currently, required travel creates a burden for BLM stakeholders to interact directly with BLM executives. Closer physical proximity of BLM leadership to Bureau stakeholders and constituents will improve Bureau operations and decision making. Strong relationships with Western states, communities, and other partners in states and regions are important for effective communication.

C. Increased Functionality

The vast majority of the functions the BLM performs are located in the Western United States, including many of its highest priority programs. Relocating BLM leadership closer to their activities in which the agency engages will provide greater understanding of the needs on the ground and better facilitate meaningful policies.

D. Potential for Reduced Leasing Costs and Consolidation

Relocating staff will lead to a more efficient operation and substantial cost savings for the Bureau. Perhaps the most striking savings is in lease space costs. With the location of a Western Headquarters in Grand Junction, which has affordable leasing options, BLM can achieve cost savings while increasing the Bureau's leadership presence closest to the resources it manages. As part of its examination, the BLM compared and analyzed lease space based on the General Services Administration (GSA)'s lease rates per square foot data for the Main Interior Building (MIB) in Washington, DC, and an office location in Grand Junction, CO. The costs for 27 staff identified as part of the establishment of a Western Headquarters are as follows:

- \$50.00/per square foot for the MIB;
- \$32.35/per square foot for an office space in Grand Junction.

The lease rates are specifically of immediate importance right now because the BLM is at a crossroads for its Washington, DC office. Currently, employees in Washington, DC are located in two facilities; the MIB on C Street in Northwest DC, and the 20 M Street building in Southeast DC. The lease for the M Street location expires at the end of calendar year 2020. A renewed lease for the M Street location is not an option, as the new rate would exceed \$50 per square foot—a cost that is substantially greater than is currently being paid and much higher than would be offered in Grand Junction.

For the 296 positions that will be relocated to the West and allocated to State Offices, existing office space in State, District, and/or Field Offices will be used to house staff, resulting in no incremental space costs as opposed to the real expense of moving these positions into the MIB. In the event that additional lease space does need to be acquired by State Offices, estimated commercial lease costs per square foot range from approximately \$14.00/per square foot to approximately \$32.00/per square foot, which will offer a significant savings compared to the MIB square foot costs.

E. Decreased Travel Expenses

For fiscal year (FY) 2018, BLM employee travel between Washington, DC, and Western states totaled more than \$3.2 million. Relocating staff to State Offices and establishing a Western Headquarters will significantly decrease travel expenses.

Establishing a Western Headquarters in Grand Junction will improve travel efficiency by reducing the number of long cross-country flights, which results in shorter trips and will allow more opportunities for day trips in some areas. Shorter duration travel is more efficient, cost-effective, and is expected to increase productivity with increased time spent on work activities rather than travel. The alignment of staff to State Offices across the West will also result in similar benefits.

The BLM's training centers, located in Phoenix and Boise, are important resources for agency staff. These centers also provide space for meetings and conferences that many BLM staff already attend. The location of the training centers allows easy access by BLM and other DOI staff located in Western cities. Shorter direct flights, or drives, could replace long, cross-country trips. Relocation would also

enable BLM leadership to more easily attend trainings and meetings and provide leadership perspectives for attendees. By locating staff closer to the training centers, this enhances opportunities for career development.

F. Reduced Personnel Costs

Relocating staff from the expensive Washington, DC metropolitan area, to areas with a lower cost of living will also create increased purchasing power for employees, and reduce personnel costs for the BLM at the same time, due in part to lower locality pay rate adjustments. For example, locality adjustment rates for Western locations range from 15.67 percent to 26.30 percent, while the Washington, DC locality pay adjustment is 29.32 percent. These savings extend to both the Western Headquarters and State Offices where employees will be relocated and aligned.

Ultimately, a Western Headquarters will maximize services to the American people while increasing the BLM's presence closest to the resources it manages.

IMPLEMENTATION

Implementation of the FY 2019 spend plan will utilize the \$5.6 million BLM funding allocation in the Department of the Interior's reorganization efforts. The initial relocation of approximately 27 employees to the BLM's Western Headquarters will be achieved through voluntary reassignments, providing commitments are secured. Once there is a commitment, the Bureau would issue the employee transfer orders, which will allow employees to work with the agency travel office to estimate moving costs and obligate the necessary funds for the permanent change of station (PCS). Positions that are currently vacant will be advertised in Grand Junction. Directed reassignments will capture the balance of positions that will establish the Western Headquarters.

The remaining positions will be relocated to their newly assigned locations in the various State Offices following a similar method. Voluntary reassignments will be made as State Offices identify space and funds remain available for PCS costs. Currently vacant positions will be advertised in their respective locations. Implementation of relocations and realignments will take place over the next 15 months until the BLM's M Street Office lease expires at the end of calendar year 2020.

BENEFITS TO STATES

Nearly every Western state, where the vast majority of BLM's lands and programs are located, will realize significant benefits from this realignment by virtue of augmented staffing levels. Collectively, the state-by-state approach to BLM realignment is the most meaningful way to optimize positions across the Bureau's western footprint. States will benefit from the presence of additional staff that possess experience and expertise in performing duties that address headquarters priorities, but who understand how to utilize that knowledge to advance each state's localized, day-to-day operations. More importantly, the Bureau will be better able to serve the American people with an increased staffing presence closer to the resources it manages, which in turn will allow for more informed and locally coordinated decision making.

A few significant examples include:

Arizona: Thirty-four positions currently in Washington, DC will be relocated to the Arizona State Office and the National Training Center, which is based in Phoenix. These positions will support both national and on-the-ground priority work related to planning, lands, and realty. Five additional positions will also be allocated to the State Office. Given the ongoing work occurring in the state, as well as the training opportunities that the National Training Center provides to employees across the country, the location of these staff members will be integral to educating and empowering the Bureau.

California: Twelve positions currently in Washington, DC will be relocated to the California State Office in Sacramento and eight additional positions will be allocated to the State Office. Because there are a number of solar, wind, and geothermal projects in process in California, and in neighboring Nevada, the primary focus of these positions will be in support of the Renewable Energy Program. Collectively, these positions will be best able to support national policy needs while also providing support to the State Office. Several positions will be derived from the Bureau's Communications directorate to support both national Bureau objectives and the state's emerging media outreach initiatives.

Colorado: Eighty-five positions currently in Washington, DC will be relocated to Colorado. Fifty-four positions will be split between the Colorado State Office and the

National Operations Center in Lakewood. Twenty-seven positions will be located in the BLM's Western Headquarters in Grand Junction. Four additional positions will be allocated to the State Office. Colorado has diverse resource needs, ranging from minerals to recreation, and it also serves as a hub for the Bureau's Geographic Information Systems (GIS) projects and priorities. As such, positions from nearly every Directorate will be located in the Lakewood offices. This includes Business and Fiscal Resources Management positions, which will allow both the state and the Bureau to benefit from the development of policies and procedures that directly impact day-to-day operations.

The relocation of these positions will also facilitate the transfer of knowledge from senior staff to the next generation through their proximity to State and Field Office personnel. Relocated staff will be able to provide a shared resource and expertise to support field operations. These employees will be able to take on complex strategic assignments, such as negotiating State Historic Preservation Office protocols and streamlining the policy development and review processes. Having these positions relocated to Colorado will enable these professionals to integrate into existing BLM work groups and networks and improve their functional capabilities.

Nevada: Approximately 67 percent of Nevada's 48 million acres is managed by the Federal Government. Nevada has several program areas that would benefit from the assignment of headquarters positions to the State Office in Reno. Specifically, the state has a demand for:

- National project management in the minerals program for the Anaconda Mine cleanup under the Comprehensive Environmental Response, Compensation, and Liability Act;
- National geothermal program management, given that Nevada has the largest program in the Bureau;
- National project management for utility scale renewable energy projects, including interstate transmission lines, and wind and solar energy projects; and
- Additional on-range management of the Bureau's wild horse and burro program, given that Nevada has the highest horse and burro population in the Nation.

These specialists will be an asset to Nevada's work force and will provide strategic planning, mentoring, and knowledge transfer. For this reason, 32 positions currently in Washington, DC will be relocated and 17 additional positions will be allocated to the Nevada State Office. Collectively, this realignment will enable Nevada to leverage national program staff where the BLM resources, partners, and public land users are located.

New Mexico: Thirty-two positions currently in Washington, DC will be relocated and seven additional positions will be allocated to the New Mexico State Office in Santa Fe to perform priority and understaffed functions. This includes support for the minerals program and support for cultural, paleontological, and tribal programs. Given the significant activity across the state, including the revision of several Resource Management Plans, aligning staff to assist with both functions will benefit the public by having the capacity to leverage resources to promote better coordination, including with our partners on the ground.

Additional advantages specific to New Mexico include:

- Program alignment featuring more hands-on assistance, coaching and feedback;
- Enhanced training with corporate knowledge sharing, which directly bridges to the states.

A number of the allocated positions are specific to communications, human resources, and budget support. These positions are being allocated to the State Office to expand its capacity for state-wide communications and enhance support for employees.

CONCLUSION

The implementation plan will delegate more responsibility and authority down to the field, optimize services available to the American people, is demonstrably cost-effective, and will provide an increased presence closer to the resources the BLM staff manages. This is achieved through the following actions:

- Maintaining the necessary core headquarters functions in Washington, DC;

- Optimizing the efficiency of positions currently based in Washington, DC by relocating them to the State Offices across the West which their work supports;
- Allocating positions to State Offices to perform essential State Office functions;
- Establishing a Western Headquarters in Grand Junction, CO.

The redeployment of the BLM's headquarters functions to Western locations is beneficial for the BLM's employees, the constituents they serve, and for every American taxpayer. The savings generated from reduced costs for facilities, travel, payroll, leases, etc., are significant. In addition, this initiative brings employees closer to the land they manage, which will result in more informed and better coordinated decisions made in the work the BLM does, so that land management decisions affecting the way of life for residents across the West will now be made and advised by staff based in the West, not in Washington, DC.

This effort represents the Department of the Interior's role in fulfilling Congress' commitment to the West more than 82 years ago by properly aligning the BLM's function with its resources and constituents. We welcome the Committee's interest in the BLM realignment, we appreciate the support members of the Committee have expressed, and we look forward to working with you as we proceed with implementation.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. WILLIAM PERRY PENDLEY, DEPUTY DIRECTOR, POLICY AND PROGRAMS, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

Mr. Pendley did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Grijalva

Question 1. Acting Director Pendley, this Committee has requested additional information on the BLM reorganization on numerous occasions. Many of those requests were repeated at your September 10 hearing. Please provide the following no later than September 24, 2019:

1a. A 5-year cost benefit analysis of the proposed reorganization plan, breaking down costs by expenditure type.

1b. Workflow analyses and/or professional consultation and analyses that demonstrate the projected benefits of this move, such as improved communication and coordination.

1c. The position-by-position analysis used to determine which staff would be relocated, where staff would be relocated, and why.

1d. A breakdown of the current staff relocation plans, including each title, current role, GS level, planned relocation site, timeline for relocation, whether the position is encumbered, and, if unencumbered, the length of time the role has been vacant.

1e. The Department's disparate impacts analysis for this planned reorganization, demonstrating these relocations will not disproportionately impact any protected classes of employees.

1f. Formal documentation of the Department's consultation with sovereign tribal nations on the reorganization of the Bureau of Land Management, including concerns raised by tribal leaders on the BLM's reorganization and the Department's responses to those concerns.

1g. Documents demonstrating DOI's work with the General Services Administration to seek out alternative space in the National Capital Region to replace the capacity of the M Street location.

1h. Surveys conducted to determine how many employees might retire or otherwise leave the BLM as a result of these planned moves.

1i. Copies of any other reorganization plans reviewed or analyzed to outline this planned reorganization.

1j. Details on the planned relocation costs for this reorganization, including cost estimates for the lump sum relocation incentives, house seeking trips, and temporary housing incentives provided to staff.

1k. All continuity plans the Department developed to avoid disruptions to agency work products during the reorganization.

1l. Documents and communications relating to the selection of the locations at which current BLM staff in Washington, DC would be relocated, including any criteria for selection that was considered.

Question 2. Acting Director Pendley, during Ms. Robin Brown's question period she referred to extensive consultations between the city of Grand Junction and DOI. She claimed that DOI requested information from the city, including transportation and lodging options, amenities, workforce analyses, etc; however, it is not clear that these consultations were part of a formal request for information put out by the Department. Can you please provide:

2a. An outline of the process DOI used to request information on potential office locations.

2b. An explanation of why these information requests were not part of a public, formal request for information.

2c. Documentation of all public (i.e. non-Federal) consultation done on potential office locations.

2d. What criteria DOI used to analyze potential office locations.

2e. A list of all the cities considered as potential office locations.

2f. A copy of the information provided by each city considered as a potential office location to DOI.

2g. The analysis used to determine why Grand Junction specifically was the best potential office location.

Question 3. Acting Director Pendley, before your appointment to your current role earlier this year you worked on a number of high-profile cases concerning decisions made by Federal agencies on resource protection and development. In order for the Committee to better understand how your leadership might impact agency decision making on these issues, we request the documents and information below:

3a. A copy of your ethics recusals, including the scope of the recusal identifying any particular matters, name of the organization(s), people included in the recusal, the duration of any recusal, and what policy issues the recusal prohibits you from engaging.

3b. Are you recused from all matters concerning Solenex LLC (Solenex) in the Badger-Two Medicine region of Montana? If yes, please provide the description of the recusal, the reason for the recusal and the duration of the recusal.

3c. Are you recused from matters represented by his former employer, Mountain States Legal Foundation? If so, please provide the details of the recusal and the duration of the recusal.

3d. Are you still the attorney of record for any litigation involving the Montana Badger-Two Medicine oil-and-gas lease? If not, when did you withdraw as counsel? Please provide documentation of this withdrawal.

3e. Are you recused from all matters concerning the Bears Ears and Grand Staircase-Escalante National Monuments? If yes, please provide the description of the recusal, the reason for the recusal and the duration of the recusal.

3f. Are you still the attorney of record for any litigation involving the Bears Ears and Grand Staircase-Escalante National Monuments? If not, when did you withdraw as counsel? Please provide documentation of this withdrawal.

Question Submitted by Representative Haaland

Question 1. Acting Director Pendley, the BLM has an obligation under The Federal Land Policy and Management Act FLPMA to "give priority to the designation and protection of areas of critical environmental concern" (ACECs) when preparing or revising land use management plans (43 U.S.C 1712(c)). These ACECs are used to provide special management and protection for biological, cultural, historic, scenic, and ecological resources and values.

However, recent BLM draft resource management plan revisions have, instead of designating and protecting new ACECs, reduced or eliminated existing ones. For example, the draft Lewistown (MT) resource management plan proposes to eliminate all ACECs that exist in the planning area today. The draft Bering Sea-Western Interior (AK) plan would eliminate 1.8 million acres of existing ACECs and

designate zero new ACECs, despite BLM's own determination that there are more than 4.2 million acres that meet the relevance and importance criteria for ACEC designation. Many of these acres in the draft Bering Sea-West plan were further supported by many of the tribal nations in the region, who rely on the resources protected by the ACECs for customary and traditional uses, including subsistence nutrition.

1a. How do you reconcile the elimination of existing ACECs in these draft resource management plans' with FLPMA's requirement that the Secretary "give priority to the designation and protection of areas of critical environmental concern" and "take any action necessary to prevent unnecessary or undue degradation of [BLM] lands"?

Questions Submitted by Representative Levin

Question 1. During your testimony before the House Natural Resources Committee on September 10, you stated that you hoped that DC BLM employees who were identified for relocation would remain with the BLM after being so notified. You also stated that DOI did not conduct any prior survey or discussions with BLM staff about whether or not they would leave the BLM if advised that they were being transferred to a western state and that the affected employees would learn their fate with a notice that will be provide September 17. If you learn that more than 25 percent of DC staff will leave BLM rather than transfer to a western state, will DOI stop this process? Is there any threshold percentage of DC staff who inform DOI that they will leave BLM rather than transfer to a western state, that will cause DOI to stop this process?

Question 2. You have told D.C. staff that they will start to be moved at the beginning of Fiscal Year 2020. Have you provided details about incentives for those who agree to move? Have you provided a timeline for when employees have to leave? How much advance notice of a required move will the September 17 notice provide to the affected employees? Are you not concerned about the negative impacts on morale that this move will have on the affected employees?

Question 3. You have stated that DOI intends to use the \$5.6 million that Congress appropriated in the current budget cycle for the relocation. You have also stated that you are confident that Congress will provide additional funding as the process advances in the months ahead.

3a. Does DOI have a contingency plan if Congress does not provide the additional funding that DOI is anticipating? Why is this process being pushed?

The CHAIRMAN. Thank you, sir, for your valuable testimony. The Chair will now recognize Members for questions. Under Committee Rule 3(d), each Member will have 5 minutes.

I am going to defer my questions. And in order of people coming into the meeting, let me recognize Ms. Haaland for her questions.

Ms. HAALAND. Thank you, Chairman, and thank you, Mr. Pendley, for being here. Thank you for your service as a Marine to our country.

Mr. PENDLEY. Thank you.

Ms. HAALAND. I appreciate that.

I just have a few questions. In 2009, at a Republican breakfast forum, you were quoted mocking American Indian religious practitioners that increasing insistence that Federal lands and private property be off limits because it is holy to them—using air quotes to punctuate holy. Do you believe this behavior is a good representation of the Bureau of Land Management that is responsible for—and I quote from the BLM's Fiscal Year 2020 budget request—the largest, most diverse, and scientifically important aggregation of cultural, historical, and paleontological resources on public lands?

Mr. PENDLEY. I was not speaking as a member of the BLM. I was speaking as a private attorney representing private clients.

I am proud to speak on behalf of the Bureau of Land Management now, and I am particularly pleased with the opportunities to work with the Bureau of Indian Affairs and tribes to establish tribal energy resource agreements to permit tribes to develop their energy resources. And I think that is one of the reasons why we need to make the move west with our skilled people, because we need to have the energy, mineral, and realty management experts who are now in Washington out in the field with the state offices to work hand-in-glove with tribal leaders on tribal lands to ensure their ability to develop the resources.

Congress passed last year in 2018 a change to that law to permit more of these agreements. We are working aggressively with the BIA to have those agreements, and I will be a very, very strong advocate for tribes being able to enter into those agreements to take over the oil and gas leasing functions on their land, if that is their decision to do so.

I am pleased to have that responsibility. And believe me, I will be speaking as the leader of the Bureau of Land Management in our work with tribal leaders. I think that the work that we perform in these agreements will be proof of the pudding for our willingness and desire to serve their needs and their interests, ma'am.

Ms. HAALAND. I am a little confused. So, you were able to just forget what you did back then, and now that you are working for BLM, everything is OK, is that what you are telling me?

Mr. PENDLEY. I have a new client. My client is the American people. I am a zealous advocate for my client. I will be a zealous advocate for the American people in serving their interests and the interest they have in multiple-use lands managed by the Bureau of Land Management.

It is not just energy minerals, it is recreation. And a hallmark of the Trump administration is access to recreational land.

Ms. HAALAND. Thank you. So, would it be fair to say, then, that the BLM has a significant responsibility for managing cultural resources use?

You talk a lot about developing energy resources, but there are tribes who want to protect their land, who want to protect their ancestral homelands, because right now they feel like they are under attack. How can the BLM justify not performing any consultation with tribal leaders on the BLM reorganization?

Cultural resources are not just a matter of course; they represent a history and culture and are living connections to our past—and not just my past, my ancestral homelands are Chaco Canyon, Bear's Ears, Grand Staircase-Escalante. But these belong to every single American. So, how can you justify not having proper tribal consultation when that really is one of the missions of the Department of the Interior?

Mr. PENDLEY. I arrived on July 15. I am advised that the consultations that were required took place before I arrived.

Ms. HAALAND. OK, thank you.

Mr. PENDLEY. And I will continue to engage in those consultations.

I will tell you that I think the best way for us to achieve the objectives you seek and that I seek in the protection of cultural resources for which we have a legal responsibility is—

Ms. HAALAND. Thank you. I will move on to another question right now.

Mr. PENDLEY. Yes, ma'am.

Ms. HAALAND. Thank you so much. So, now that you know that tribal consultations were not performed properly, if you will, I mean, you come in on July 15 and they tell you they've been done. But now that you know they haven't been done, because I am telling you they haven't been done properly, because I have heard from many, many tribes who said they were not done properly, do you feel a commitment to make sure that you right that wrong, that you remedy the situation, and go out and discover exactly what it is that Indian tribes want, or that their voice is even heard within the BLM?

Now that you know that it wasn't done properly, can you commit to making sure that it will be done properly?

Mr. PENDLEY. The voices we continue to hear from are Western voices, Members of Congress, governors, tribal leaders, local leaders, and what we are hearing is that we at the BLM lack resources, we lack people at the state and district and field offices to engage in the very activity you speak of, which is consultation.

We need our expert energy people now in Washington to be in these state offices to meet those needs.

Ms. HAALAND. Thank you. It is very clear that the energy part is what is important to you, and not the voices of the people. Thank you.

The CHAIRMAN. Mr. Lamborn.

Mr. LAMBORN. Thank you, Mr. Chairman. I am going to quote my illustrious friend to my left here, the Chairman of this Committee. He said in July, on this move, the BLM officials based in Washington are here to work directly with Congress and their Federal colleagues. BLM officials are here to work with Congress.

That is one way of looking at the world. Many of us look at it entirely differently, that the role of the BLM is to work with the public, to work with the American people. So, we have two ways of looking at the world.

Does BLM work for and with Congress, or do they work for the American people? And if they work for the American people, doesn't it make sense that they are located where the lands they administer on behalf of the people are located? I think it does.

And I hear a charge that this is somehow a dismantling of BLM. It is to make the Agency less effective, to make it wither up somehow, and dry up, and blow away, instead of making it more effective. I think, actually, this move will make things more effective.

Mr. Pendley, I would like to hear your views on this.

Mr. PENDLEY. Well, I absolutely concur, Congressman.

I will respond to one of the comments the Chairman made, simply it is my desire, it is the Secretary's desire, that we not lose a single employee. Our effort is to ensure either employees are able to go to a more fulfilling job out West, where they have a lower cost of living, increased purchasing power, they have shorter commute times, and they have availability to the resources we as Westerners love to enjoy. And if they are not able to do that, we want to find them a home in the Department of the Interior.

We put on a freeze in the Bureau of Land Management at the end of August. We are not going to hire anybody except the people who may be displaced, and we have a freeze underway department-wide at the Department to ensure the availability of these opportunities.

I want to assure Congress that we will continue to do our core headquarters functions. And by that I mean our congressional affairs, our regulatory affairs, our public affairs, our budget function, and our Freedom of Information Act requests.

And with regard to those employees—to counter concerns expressed by former employees—those people will no longer be over on M Street, next to the Washington Nationals baseball stadium. They are going to be in main Interior, a hallway away from the Secretary of the Interior, the Deputy Secretary, and other decision makers, and they will be able to be responsive to the requests of Congress.

But at the same time, our top people—and bear in mind who we are talking about here, we are talking about nearly half of our 24 SES, nearly half of our 256 GS-14s, north of 60 percent of our 79 GS-15s are all in the headquarters, are all here. We need them out in the field to answer the concern of Western Members of Congress, governors, local leaders, tribal leaders, and stakeholders to say, “Hey, you need to staff up, we need your best people here.”

And one of the things that I think we are going to see is we are going to see a better relationship with our stakeholders. We are going to see a better understanding of Western communities. And we are also going to see decision making, problem solving earlier in the process. Instead of waiting for a problem to blow up when it reaches M Street or headquarters, we can solve that problem by meeting with local people and having our top people out there, our top SES and GS-15s and GS-14s in the field, with more oversight and accountability.

Mr. LAMBORN. Thank you.

Mr. Chairman, I would like to read two items into the record, with unanimous consent.

One is a letter from myself, Representatives Tipton and Buck from the Colorado Delegation, and Senator Gardner.

The CHAIRMAN. Without objection.

Mr. LAMBORN. And the second is a letter dated today from the Associated Governments of Northwest Colorado endorsing this move.

The CHAIRMAN. Without objection.

Mr. LAMBORN. Thank you.

Mr. Pendley, if everything was to stay neutral, everything was to be a wash and function just the same as it did before after this move takes place, I think a lot of us would be happy. But it sounds like this will actually be an improvement in both accountability and efficiency. Is that true?

Mr. PENDLEY. Absolutely. I think it will be a remarkable improvement. And let me give you an aspect of that.

Many of our jobs—we are talking about 222 jobs going to perform headquarters functions in the state offices. We are talking about 74 jobs going into the state office to do state office functions. Many of those jobs are unfilled, and they have been unfilled for weeks, if

not months and sometimes years. And it is simply because it is almost impossible to hire people here in the Washington area.

You know better than anybody, all of us do, the cost of living in Washington, DC. The commuting times are crazy, the cost of living. So, we are going to have an increased ability to hire people in the field, whether they be recreational experts, planning experts, oil and gas or logging people, or people who can help us with our expertise that we need. I think we are going to have an easier time hiring employees. It will be better for the Bureau.

The CHAIRMAN. Thank you.

Mr. Cox.

Mr. COX. Thank you so much, Acting Director Pendley. The Department of the Interior's July 16 letter to the Appropriations Committee informing them about the Department's plans for the BLM reorganization has clearly stated that, "each position currently performing headquarters specific functions both in DC and in the field were assessed and analyzed." Yet, we are here today as the authorizing Committee for BLM, and this analysis has never been provided.

I don't think you, frankly, inspired a lot of faith in making these drastic changes without providing nearly any background to Congress, or even to your own employees, who seem to have some major concerns about these moves.

So, my questions for you today are how and when was this analysis conducted, and how did it occur without consulting with current agency staff, who seem to be blindsided by these changes?

You, yourself, I think, quoted the other day that, "I deeply regret"—and this is to your own employees—"that we have not been able to be more factually forthcoming with you prior to today." And I think that was just a few days ago, that you had not been factually forthcoming with your own employees.

So, first question, if you can get back with how did this study occur, and can you provide us with a copy of that analysis?

Mr. PENDLEY. Well, we did provide a copy of the analysis, the cost benefit analysis that was prepared by our Policy Management and Budget Office. And it has reached conclusions that this is a cost benefit effective way to go, that it will save money in the long run, and it will make us more effective as an organization.

I can tell you that our Assistant Director for Operations, Mike Nedd, who has testified here in the past, has worked hand-in-glove with our Assistant Directors, Assistant Secretary Joe Balash, and Deputy Assistant Secretary Casey Hammond, in interviewing and discussing each individual position of the 222 and the 74, to say where is the best position for this person to be.

I will give you an example, California. California is really the best location for our all-of-the-above energy solutions, whether it is fossil fuels, wind, solar, or geothermal, as well as Nevada. And we are sending some of our top people who are experts in those areas out to California to do those headquarters functions and to make California a center of excellence with regard to renewable energy.

But those consultations have been made. And when I said in my opening remarks, I meant it sincerely—specifically with Assistant Directors on an individual-by-individual, position-by-position basis, saying where should this person go, where should this job go,

where do we get the most bang for the buck to serve the needs of the American people.

Mr. COX. Well, thank you so much. On that, it doesn't seem like, though, you spoke to the staff-level employees.

But the other question is, unlike today, I think most of the BLM's lands are probably in Nevada. And a flight from Reno, Nevada to Washington, DC was \$300. To Grand Junction, Colorado it was \$600. So, why Grand Junction? What is the justification for locating there?

No disrespect to my colleagues from Colorado, but there is no major airport there. Denver is 250 miles to the east, Salt Lake, 200, 300 miles northwest. No other Federal agency is in Grand Junction. And how can Grand Junction be more efficient than someplace else out West, be it Denver, or Reno, or Fresno?

Mr. PENDLEY. We have many offices throughout the Mountain West and throughout the 11 Western states and Alaska. And one of the touchstones was we don't want to put a national headquarters where a state office is, or maybe a district office is, simply because we want to follow chain of command. We don't want somebody in, say, Denver, Cheyenne, Boise, or Billings going to see the Director when they really should be going to see our State Director.

One of the things that we have sought to maintain with this program is to strengthen the power and responsibility of our State Directors. And we do that by making them the final arbiter of these decisions that affect their states.

Mr. COX. Yes.

Mr. PENDLEY. We feared putting a national office where one of those state offices is would cause a conflict.

Mr. COX. Thank you so much. I mean when you say you are putting them out in the field, I think you probably meant left field. Grand Junction—although it is probably a beautiful place, I have never been there—I cannot see how some place 300 miles from the nearest major airport could be more efficient to the stakeholders.

But the fact is, prior to your previous testimony, there has not been a cost benefit analysis provided to this Committee. And we also would like to see the position-by-position analysis that you have referenced. Can you commit to providing that to this Committee?

Mr. PENDLEY. Congressman, I will have to defer to Congressional and Legislative Affairs. I will submit your question to them for their response.

Mr. COX. Thanks very much.

The CHAIRMAN. Mr. Gosar, the time is yours.

Dr. GOSAR. Thank you, Mr. Chairman.

Deputy Director Pendley, thank you very much for making time for us today.

Let me ask you a question. A mission statement for the BLM, what is it?

Mr. PENDLEY. Manage our multiple-use resources to the benefit of the American public, as far as I am concerned.

Dr. GOSAR. OK, and where are your resources located? East or west of the Mississippi?

Mr. PENDLEY. Almost exclusively west of the Mississippi. Two hundred forty-five million acres of land, almost exclusively in the 11 Western states and Alaska, sir.

Dr. GOSAR. So, almost 99 percent of that jurisdiction is west of the Mississippi, right?

Mr. PENDLEY. Absolutely.

Dr. GOSAR. Yes. See, the problem we are having here is that the swamp wants to keep centralized control over everything, instead of what is best is politics that are driven locally. So, people feel this.

And I am just going to share a story. Secretary Bernhardt shared a story with us at the Western Caucus in regard to one of the senior BLM employees who was excited about this move, because this will be the first time he has actually seen sagebrush.

Mr. PENDLEY. Wow.

Dr. GOSAR. How sad is that, that you have jurisdiction over this whole area, and over the multiple decades this man was in service he had never seen sagebrush? It tells me a lot.

Are you familiar with markets?

Mr. PENDLEY. Markets?

Dr. GOSAR. Yes.

Mr. PENDLEY. I am a lawyer, I am not—

Dr. GOSAR. I just heard my colleague from California talk about the cost of Grand Junction. The more you use an airport, do the prices go up, or do they usually go down?

Mr. PENDLEY. Prices go down, sir.

Dr. GOSAR. That is what I thought. But that is kind of the distorted view, I guess, we see from California, from that aspect.

So, tell me why Grand Junction. Tell me what deliberative process went through picking and moving this agency. I know we had a lease expiring that was never going to be renewed due to cost. Tell me a little bit how deliberative this process was.

Mr. PENDLEY. Well, I regret that I can't go into the specifics of that decision, but I have been assured that it was one that was batted around for a couple of years. I mean this relocation arose beginning with President Trump's Executive Order mandating that executive agencies reorganize to better serve the American public. We adopted our unified regions in 2018, and the Bureau of Land Management relocation is the next step on that process.

You are absolutely right on where the resources are. And you are absolutely right that 97 percent of our career employees are out there, too. What we are talking now is about a scant 3 percent—whether those top executives, the real decision makers, the ones giving advice to the Secretary, should they be here in our hallways, or should they be out in the field, seeing sagebrush for the first time, or examining the site? And that is the Secretary's opinion, that they need to be on the ground.

We can solve problems earlier in the process if we see them earlier, if we have meetings, more frequent and meaningful engagements with local people. We will understand local communities better.

I have appeared before the Supreme Court of the United States. And one of the things you will hear advocates at the court always talk about is having been on the site, been to the location, been

where the facts of this case arose so that the justices can understand what is happening and the impact it will have. No attorney would appear before the Supreme Court not having done that.

Yet, with the Department of the Interior, we are making decisions based on papers, photographs, and maps, when we really need our experts, our top people in Washington, to be on the site, on the location. And that helps them train our future leaders, because they are out there on the ground providing them headquarters experience and knowledge, and applying that to on-the-ground experience.

Dr. GOSAR. So, you are telling me that hands-on really is something that is beneficial to the employee, as well as to the American people?

Mr. PENDLEY. Absolutely. It is hard to think of anything more important than actually being on the ground and seeing the site. The West is so diverse. There is so much out there, so much to see. And there are so many issues involved.

The Representative was talking about cultural issues and understanding cultural issues. You just can't get it if you haven't been there, if you are not there. And we have decision makers in Washington who are over on M Street, and haven't been on the ground, and they need to be out there better serving the American people.

Dr. GOSAR. I am going to end with this. Grand Junction seems like it came out of left field, but, in fact, it actually is not, because we don't see the big city corruption in Grand Junction. I am very familiar, I actually have family that lives in Grand Junction. It is very centrally located.

So, there is a big benefit to having the ability—these workers are dependent upon that interaction with the surroundings that they serve. Is that true?

Mr. PENDLEY. Well, I absolutely believe—I live in Evergreen, Colorado. That is my home, and has been my home for 30-some years. I look out on Mount Evans 14,000 foot, and I wouldn't trade that for anything. It beats the heck out of the view out of my studio apartment here in Washington, DC. And I dare say people going out to Grand Junction will love what they see.

Dr. GOSAR. Especially when you hear that elk whistle.

The CHAIRMAN. Thank you, Mr. Gosar.

Mr. Neguse, the time is yours.

Mr. NEGUSE. Thank you, Mr. Chair, for holding this important hearing. I certainly appreciate the opportunity to talk about these issues.

Thank you, Mr. Pendley, for your service to our country. And it is an honor to be able to represent you as a constituent. I represent the great area of Evergreen, as well as Western Jefferson County, and a number of other counties in the 2nd Congressional District in Colorado.

I just want to say a couple of things. Obviously, as a Member from Colorado on this Committee, this is a particularly important issue to me. And I want to reiterate a comment that I made many times before in this Committee, and that is Colorado is home to world-class research institutions, labs, scientists, that I am

confident we would do outstanding work for the BLM. Providing the best science for any agency is a good thing.

With much respect to my colleague from the state of California, I would defend Grand Junction is a wonderful place, a wonderful community, a robust city, as I know, my colleague from the 3rd Congressional District is certainly well aware, and I know the people there would certainly do a wonderful job at the BLM, and supporting the BLM work.

With all that being said, obviously there are some important questions that have been raised by members of this Committee and elsewhere in the Congress. And those are important questions. And it is important for the Director to be able to come in and answer those. I want to focus just on two particular areas.

The first is with respect to public lands in general. Director Pendley, this is the first opportunity we have had to have you before the Committee since you took your position. In 2016, you wrote an article titled, "The Federal Government Should Follow the Constitution and Sell Its Western Lands."

And I guess I want to give you an opportunity to disavow that article, that that is no longer your belief, because obviously that causes a lot of alarm for those of us who care deeply about public lands, and ensuring that they be maintained for the use and enjoyment of future generations, which is the position, the mission statement of the BLM, I should say, per your website.

Mr. PENDLEY. Absolutely. Mr. Chairman—Congressman, I appreciate the—

Mr. NEGUSE. Not a chairman yet.

Mr. PENDLEY. Exactly. Excuse me. Congressman, I appreciate the opportunity to respond.

I love America's public lands. I have never advocated the wholesale disposal or transfer of those lands. And more importantly, as a loyal and proud member of the Trump administration, I support the President and Secretary Bernhardt in their crystal clear opposition to the wholesale disposal or transfer of public lands.

Mr. NEGUSE. I am just going to stop you there, Director, because you mentioned that in your opening statement.

Mr. PENDLEY. Yes, sir.

Mr. NEGUSE. I have limited time. I have another question I want to get to.

This notion of continuing to use the phrase "wholesale" to me, is a qualifier that I don't think is appropriate. It sounds as though you are denoting that—

Mr. PENDLEY. It is not a quibble.

Mr. NEGUSE [continuing]. Some sale of the lands is appropriate, and I just—well, we fundamentally disagree on that point. So—

Mr. PENDLEY. Well, if I can respond, please, it is not a quibble. The point is Congress makes decisions about the disposal of lands. You provide the BLM authority to dispose of lands, for example, for educational purposes, or for landlocked circumstances, or for other reasons. And when Congress makes the decision to do that, then we will salute and we will do it, we will obey.

That is the wholesale part. There may be case-specific circumstances where we do transfer or dispose. But Congress is the

boss under the property clause, and it will tell us when we can do that, sir.

Mr. NEGUSE. I appreciate that. Thank you, sir. To that point, there was an article, I believe, earlier this week in E&E—Representative Cox referenced it. The title was, “BLM staffers rip relocation plans in closed-door meeting.” I want to ask you about the piece of the article referencing congressional oversight. And there is an exchange in this article. I will just quote from it:

Pendley also referenced \$5.6 million that Congress appropriated in the current budget cycle for the relocation. “It’s there, and we intend to utilize it, believing that that will be sufficient, and we are confident that Congress will provide additional funding as the process advances in the months ahead,” he said.

That answer seemed to rile employees, one of whom said that she understands Congress holds the “power of the purse strings,” and that employees need more than assurances from Pendley, “that the secretary believes, or the secretary is confident” Congress will fund the relocation.

Here is why it matters. Here is why I am referencing this. You mentioned a few times that you are a “loyal member of the Trump administration.”

Mr. PENDLEY. Yes.

Mr. NEGUSE. And, obviously, right now we are enmeshed in this Congress in a very big debate about the Administration’s ongoing efforts to steal money from military appropriations and defense projects very important to the state of Colorado, to use those to build a border wall. And I just hope that you understand and the BLM understands, for those who support this move and for those who don’t, that the Congress has a role to play.

And it is going to be important for the BLM to work in tandem with the Appropriations Subcommittee Chair, Representative McCollum, as well as the chair of the authorizing committee that is Mr. Grijalva, as you move forward with this plan.

So, I just want to make sure we reiterate that. I am happy to give you a chance to respond, although I see my time has expired.

Mr. PENDLEY. May I respond, Mr. Chairman?

The CHAIRMAN. Please.

Mr. PENDLEY. Thank you very much. I get it. We understand. And that is why we are here, because we believe that we can persuade you, the Committee and Congress, that this makes sense, that it makes sense for the American people, it makes sense for the Bureau of Land Management and its employees.

And we know, at the end of the day, you hold the purse strings. And we understand that. But I was asked by that employee to speculate on what might happen. I knew two things. One, that Congress had decided to give us \$5.6, and the Secretary made a decision to utilize that to move. So, we are on with the march.

And we are hoping to be persuasive that this makes a tremendous amount of sense. It will benefit economically in the long run, but it will be more than just economically beneficial. It will make for the wise use of our natural resources.

Mr. NEGUSE. Thank you.

Mr. PENDLEY. Thank you, Mr. Chairman.

Mr. BISHOP. Thank you for being here. I want to welcome Mr. Tipton back with us again. It is good to have you here. How come we put him down in the beginner seats?

[Laughter.]

The CHAIRMAN. He volunteered.

Mr. BISHOP. You could sit with the real people if you wanted to. Thank you. OK. Yes, I have your back, that's for sure.

Mr. Pendley, thank you for being here. Let me go through some of the blinding, obvious questions very quickly again.

There are those who are still saying that if this move takes place, there are those who will lose a seat at the table. I am supposed to ask you is that a bogus claim, but I am going to ask you why is that such a silly bogus claim?

Mr. PENDLEY. Well, I don't know who could possibly lose a seat at the table. I think this is a win-win, all around. I think it is a win for our people in the field, who will have our best experts coming to the field to provide leadership, guidance, supervision, and to train our next group of leaders.

I think people who remain here in Washington, DC will have a proximity to the Secretary of the Interior and the Deputy Secretary that is unprecedented in the history of the Bureau.

Mr. BISHOP. So, let me help you out with this.

Mr. PENDLEY. Thank you, I am sorry.

Mr. BISHOP. What you are saying is you don't have to actually be in point X to make decisions that are wise, as long as you understand the areas in which you are talking about. So, if we have the Center for Disease Control in Atlanta, have the firefighters in Boise, they can still function just as well.

And if, indeed, one believes in the principle of propinquity—first of all, you are down by Nats Stadium, right, which is certainly a hell of a lot better than going back to the Interior Department. You should probably stay there. But I understand that is going to be really expensive property down there. And what remains after this transfer would be moved back here with the rest of the Department. So, if you actually believe in the rule of propinquity, you actually—it is a win-win situation from that.

Mr. PENDLEY. Well, we have a deadline. It seems a long way away, December 31, 2020, but it is soon. And we have to make plans about how to use that—what to do with those employees. And our plan is to put them in the main Interior building, and the others we are going to put in the field so they can better serve the American public.

Mr. BISHOP. At least stay there through the play-offs. That is a wise thing to do at the same process.

Mr. PENDLEY. Thank you.

Mr. BISHOP. Let me come back with some of the other things that we have talked about.

We have brought up how much it costs to fly from Grand Junction. I am assuming there were other factors when you came up with a decision that dealt with the cost of each area—you also include the cost of housing, cost of living, school element, where it would be possible. Did you consider all of those factors, not simply the price of an airline ticket?

Mr. PENDLEY. I am advised all of those factors were considered. I will tell you what we are looking at right now with regard to cost per square foot, we are looking at between \$28 and \$30 per square foot for our new headquarters in Grand Junction, Colorado. We are paying \$50 or more per square foot at our M Street location.

Even if we could obtain that—and that is our calculation for the main Interior building, as well—we will have to build out with regard to some of our locations in Reno, Carson City, Salt Lake City, Santa Fe, or Albuquerque. But there we are looking at costs between \$14 and \$20 or \$8 or \$30 a square foot. So, it is much more economic to be there. It is a lower cost of living. Our dollars go further and our people are close to the resources.

Mr. BISHOP. All right. And one of the things I think we have forgotten in this entire discussion is that you are not just moving everything to Grand Junction. I appreciate you taking all those factors into consideration. You still should have been in Utah. But Grand Junction is not necessarily where everyone is going to go.

Mr. PENDLEY. Absolutely.

Mr. BISHOP. We are also moving people to New Mexico. You are moving people to Arizona, to Nevada, over to Utah, up to Idaho, where their function can be better enhanced by being in those particular areas. So, this is not just a wholesale move from that stadium to Grand Junction. You are covering the entire West, and you are going to allow a greater expertise and a greater experience throughout the entire area in which you find BLM lands. Right?

Mr. PENDLEY. That is absolutely the case. We have 74 people going to various state offices to perform state office functions. We have 222 people going to state offices to perform headquarters functions. Nearly every—well, not nearly—every Western state will benefit from the infusion of experts.

Mr. BISHOP. We all will benefit, and I appreciate that.

Mr. PENDLEY. Yes, sir.

Mr. BISHOP. Just don't send ours to Salt Lake. That is the only thing you have to remember.

Let me go with one other thing here, too. In addition to all of that stuff—I am sorry, that was my ad—historically what we are doing is trying to understand how land—if you really care about your land, you have to take care of it.

In the 1860s, historically, we started the Homesteading Act. And I am quoting from Dr. Nelson, University of Maryland, now, who has done a lot of studies as far as the history of land management and land decisions. Almost all of those homesteading acts—I think the last one was like 1912, 1916—that were attempted failed. And in his analysis it failed for one reason: the people making decisions on those lands lived thousands of miles away from the land in which they were trying to adjudicate.

That is what you are trying to say in here, is the land is out in the West, not just in Nevada, but it is in the entire West. Moving people closer to that will make a better decision. And we have historical evidence of doing that. Did you want to say something, I'm over, but so is everybody—

Mr. PENDLEY. Absolutely. If the Chairman will allow, my response is simply we want to be a good neighbor, and we cannot be a good neighbor if we are not first a neighbor. So, we need our

employees to be neighbors so they can be good neighbors, and serve our communities, our states in the West, but also serve the American people.

Mr. BISHOP. Thank you. I appreciate your being here. I appreciate your answers. And somebody else is going to have to ask you about consultation.

Mr. PENDLEY. Thank you.

The CHAIRMAN. Mr. Hice.

Dr. HICE. Thank you very much for being here today, Mr. Pendley. And, listen, I very much appreciate this Administration's efforts to drain the swamp, and to help push as much of the Federal workforce outside the DC Beltway. I think this is a great idea.

And Mr. Chairman, I appreciate us having this hearing today to discuss this.

You have stated that, in your opinion, relocating BLM leadership closer to the activities and states will provide a greater understanding of the needs on the ground in those various states and regions, and facilitate, as a result, more meaningful policies.

I would like to go further on the discussion that has already been taking place. How will the American people themselves be able to visualize and experience how Americans are going to be better served if the leadership and the resources are moved closer to the actual places that are impacted and involved with BLM?

Mr. PENDLEY. Congressman, I think one of the ways is better decision making earlier in the process. None of us like the logjam that we have seen, for example, with the National Environmental Policy Act, where we have endless litigation, and it makes it difficult for rubber to hit the road, and whether we are doing a recreational project, or grazing renewal, or oil and gas operations, whatever we are doing. They get bogged down.

And one of the things the Secretary has done is forced those decisions out into the field with Secretarial Order 3355 to shorten our NEPA process and get it done right. And one of the ways we can most effectively do that is having our top people in the field—to have them close to the resource, to have them making decisions not based on paper or photographs or maps, but actually being on the ground.

We are going to have early problem solving. We are going to understand the Western communities. We are going to have more frequent and meaningful conversations with our stakeholders. And I think it is going to inform our decision-making process. The beneficiary will be the American people, because whatever decisions we are making, whether it is a recreational issue, or logging issue, a mining issue, or land transfer as ordered by Congress, we are going to do it more expeditiously, we are going to do it with local input, and we are going to get the decision made more promptly.

Dr. HICE. So, the policy side of things will be beneficial.

I would like to go a little bit further on where Chairman Bishop, Ranking Member, was just talking, and some of the savings to the American taxpayer, as well. Obviously, I would think this would be a significant savings in multiple ways to the American taxpayer. But you mentioned where the BLM is currently located on M Street. Did I hear you correctly? It is \$50 per square foot?

Mr. PENDLEY. It is \$50. That is what we are being told—

Dr. HICE. Fifty dollars?

Mr. PENDLEY. And it is going to be north of \$50 a square foot. We are paying \$4 million a year for that space.

Dr. HICE. All right. That is what I wanted to get to.

Mr. PENDLEY. Yes, sir.

Dr. HICE. Some of the totals. So, \$4 million where you currently are, and in Colorado it would be—did you say \$38?

Mr. PENDLEY. We are looking at \$28 to \$30, sir.

Dr. HICE. Twenty-eight to thirty?

Mr. PENDLEY. Twenty-eight to thirty dollars per square foot. Yes, sir.

Dr. HICE. So, what would that total be?

Mr. PENDLEY. Well, we are looking at 10,000 square feet. We are looking at \$280,000 to \$300,000 for—we are not going to have 350 people there. Right now we are going to have 27 people there.

But still, again, it is going to be a substantial savings per person. We are also going to save on locality pay, the extra costs we pay employees when they are in a high cost of living location. We are also going to save significantly on travel. We are going to have shorter trips. We are going to make more efficient trips. I think we are going to find people making shorter trips and even drives, operating in the same time zone.

And, of course, as one of the Members has already stated, we are in a new technological world. We don't have to be just down the hall from somebody to be in full communication with them. What we need to do, though, is we need to be on the ground with those resources.

Dr. HICE. Excellent. And I think that is an extremely great point, and a lot of benefit to the taxpayer.

Last question, and I will let you wrap up with this. Going with the consultation with local partners, what has taken place, and what is the attitude of the locals?

Mr. PENDLEY. I have not been able to be out west as often as I want, but I will tell you what the Secretary's response is, and what Joe Balash, when he was here, and also our Deputy Assistant Secretary Casey Hammond's response is. Each one of them says, "Every time I go out west and meet with local leaders, they say, 'We are so thankful that you are sending your folks out here, that you are going to have an increased presence.'"

I will tell you consistently what we have heard—and I know you have heard it, because you oversee what we do—and that is we don't have the resources and the people we need in our state, district, and field offices. We are going to put them there.

Dr. HICE. Thank you very much.

The CHAIRMAN. Ms. DeGette.

Ms. DEGETTE. Thank you so much, Mr. Chairman.

Mr. Pendley, welcome. You had a majority of our Colorado Congressional Delegation here this morning. And I think we could all agree on a bipartisan basis, and we would agree with you, any day in Colorado is a better day than when we have to be here. I think all four of us agree with that.

And I also agree with you that you really need to see what is on the ground when you are dealing with Western land management

issues. And that is why you probably know I have a wilderness bill for Colorado that we are looking at this fall in this Committee, which has a number of BLM wilderness study areas and others that we are thinking about making permanent.

And I do want to commend the BLM, which has been working with us quite well on map development and so on. And that really goes to the questions I wanted to ask you about the BLM staffing, because it is one thing to move the BLM to Grand Junction, Colorado. And being from Denver, I will say the only thing I disagreed with was when Mr. Gosar said big cities were corrupt and little cities weren't, because I don't agree with that. I think every place in Colorado is wonderful.

But my question is just moving the office to Grand Junction is not necessarily going to solve some of the staffing issues. I want to ask you about that. Recently, it was reported that there are 323 positions at the BLM theoretically being moved to the Western states. But right now there are only 177 staff in those positions. They haven't been filled.

Mr. PENDLEY. That is correct.

Ms. DEGETTE. And in addition, the BLM estimates that at least 45 of those 177 positions will either retire or leave the Agency for other jobs because they don't want to have to move, which, I certainly don't understand that.

So, in the meantime, I was in Mr. Tipton's hometown of Cortez over the August recess, looking at some of my wilderness areas and working with the Tres Rios BLM office down there. They are also short-staffed. They have an Acting Director down there. They have many staff vacancies. And they were not really able to—I mean, they worked hard to help support my visit down there, but they didn't have a lot of the information that having a steady, long-term staff down there would have had. So, I am not sure moving the headquarters solves these problems.

And, as you know, having been a lawyer, there are a lot of issues that the BLM staff in these regional offices need to address: development of oil and gas and mineral leases in BLM lands; recreation plans, especially in places like Colorado, but throughout the West.

So, I am wondering if you can tell me—that is a longer question than I usually ask. But what I would like to hear from you is: (1) How do you think that simply moving the office to Grand Junction and other points in the West will solve these staffing problems? And, (2) What is the BLM's longer-term plan for filling these positions with qualified personnel?

Mr. PENDLEY. Absolutely, great questions. And I don't want to conflate things. The move to Grand Junction with our headquarters and the 27 slots that are allocated there is one thing. The other part of that is the 222 that are going to be relocated from the headquarters through the various state offices to perform headquarters functions, and then the 74 that are going to be allocated at the state office to do state office functions.

Ms. DEGETTE. That is great, but that still doesn't fill the vacancies throughout the Agency, not just at the headquarters level.

Mr. PENDLEY. Exactly. I totally understand. And part of the problem is simply that we have not been able to staff up, because

we are trying to staff up in Washington, and we need to be able to fill those slots. And I think offering people an opportunity to live in and work in the West will overcome a part of those problems.

Ms. DEGETTE. Well, actually, though, 45 of those 177 people you have now, they said they are not going to move to the West.

Mr. PENDLEY. All right—

Ms. DEGETTE. Do you have people in the West who are qualified, who say they are going to take that job?

Mr. PENDLEY. If I could slightly correct that statement, that is an estimate that our policy, budget, and management people made calculating that typically 25 percent—

Ms. DEGETTE. Did they find 25 percent that want to go there?

Mr. PENDLEY. No, no, it is simply a rough calculation. We have to make some numbers, we are going to try to get a number to provide Congress. What is our PECS going to—

Ms. DEGETTE. I understand. Did they get the number on the other side of how many more people would want to come in? Do you have that number?

Mr. PENDLEY. I don't have that number.

Ms. DEGETTE. Thank you very much.

Mr. PENDLEY. Yes, ma'am.

The CHAIRMAN. Thank you very much.

Mr. Curtis.

Mr. CURTIS. Thank you, Mr. Chairman. I am from Utah's 3rd Congressional District, and I have always imagined that we were BLM's favorite district until this recent decision.

[Laughter.]

Mr. CURTIS. And now I am content to say I am your second favorite district.

Mr. BISHOP. Third.

[Laughter.]

Mr. CURTIS. This is my time.

[Laughter.]

Mr. CURTIS. Interestingly, my district is only 33 minutes away from Grand Junction in Utah.

Mr. PENDLEY. Awesome.

Mr. CURTIS. The furthest part of my district is 5 hours away from Grand Junction. So, you can imagine, although we would love to have it in Utah, the pleasure of my counties down in that part of my district to learn of your decision.

I was recently down in that part of my district, and every time I am there I consistently hear, "We love our BLM agents on the ground, and we are really frustrated with those 2,000 miles away." It is just this repeated theme. There is a sense that they don't understand what they are dealing with, and the decisions that they are making, how they impact them. So, this decision is met with great pleasure throughout my district. They are really excited to have you there, looking forward to having those making decisions right there, near them in their daily lives.

And I would like to mention two things, just quickly. One of them is likely on your radar and one would not be. The Emery County public lands bill recently passed with the large lands package this year requires a ton of work from BLM, and I just want to thank your good people for the work they have done, and get

that on your radar. A lot of work still needs to be done on the ground there.

Mr. PENDLEY. Yes.

Mr. CURTIS. And the second thing is—this is a small thing here in Washington, but, here again, a very large thing back in the district. During my visit, I visited a canyon called Nine Mile Canyon. It is full of antiquities from the Fremont Indians. Unbelievable treasures throughout that canyon. They have been working for years with BLM to get signage in that canyon, and have been unsuccessful simply because of lack of resources. So, I wanted to get that on your radar, so we could follow up with your staff, and see if there is any chance that we could expedite that.

Mr. PENDLEY. Thank you.

Mr. CURTIS. And with that, I have no more questions, but I would like to yield to my colleague from Utah, Mr. Bishop.

Mr. BISHOP. Thank you, Mr. Curtis, I appreciate that. And I realized you share the border with that part of Colorado. And it is a great area.

Mr. Pendley, I would like to ask one question, simply because one of the attorneys wrote testimony in here saying there were no consultations with Native Americans. Is that accurate?

Mr. PENDLEY. I do not believe it is accurate. I am advised that we did engage in consultation with tribal leaders with regard to a multiple set of issues, especially, for example, the unified region decision that was made, and the recommendation from tribal leaders, the BIA, the Bureau of Indian Education, and our special trustee.

And I know for a fact that, because of our on-the-ground activities in working with tribes through the—for example, these tribal energy resource agreements—and I am not just focusing on energy issues, but simply that is a big issue for many of the tribes. It was an issue for this Congress—that they need our on-the-ground ability to help them out on those issues. And having people there in the West, and not here in Washington, is the solution, in my view.

Mr. BISHOP. Thank you. And I would like to introduce for the record also the letter that Assistant Secretary Sweeney sent to Mr. Grijalva explaining what the process was. And indeed, there were 11 formal consultation sessions, and an additional 7 listening sessions.

I know some people have said that that is not the proper type of consultation, which is a word—I don't know if anywhere is actually defined of what "proper" is. But do you think 11 formal consultations, 7 additional listening sessions, having the transcript of all of those for public comment, and then the feedback that you got from indigenous and digital views—do you think you actually did due diligence in going through this consultation process?

Mr. PENDLEY. Absolutely.

Mr. BISHOP. I think I do, too, and so does the letter that was sent there. So, if I could have this put in the record.

The CHAIRMAN. Without objection.

Mr. BISHOP. Thank you. And thank you once again for your indulgence. I will yield back.

The CHAIRMAN. Thank you.

Mr. Tonko.

Mr. TONKO. Thank you, Mr. Chair, and thank you to our witnesses for being in attendance here today.

I am deeply concerned with the Department of the Interior's proposal for the reorganization and relocation of the Bureau of Land Management headquarters from Washington, DC to Grand Junction, Colorado. To me, this proposal seems to be a continuation of the Trump administration's effort to drain the swamp, which oftentimes becomes adding to the alligators, which, in reality, is an attempt to push out career employees and weaken Federal agencies. This is a dangerous move, one that not only disrespects Federal employees and their dedication to public service, but also threatens to rid Federal agencies of institutional knowledge and devoted civil servants.

This proposal has not taken into account external or internal stakeholders. Agency personnel have not been consulted, and were only given notice of this proposal when it was released to the public. Winning political points should never take precedence in decision making over working toward the mission of the protection of our Federal public lands and our service to the American people. These decisions must be fully examined, since any detrimental effect will be felt for years and possibly generations to come.

So, Acting Director Pendley, one of DOI's rationales for this reorganization is to enhance coordination with partners and stakeholders. What evidence or analysis do you have that shows that spreading headquarters staff and teams across 12 offices will improve coordination?

Mr. PENDLEY. What we hear consistently from Members of Congress, governors, Western leaders, stakeholders, our partners in the field is simply that we don't have the staffing we need in the field offices and the state offices to be responsive and to understand fully their problems and their concerns. And we are being responsive to that by putting our best experts in the field so they can join with the people who are already there to make better decisions earlier in the process in a more timely way.

Mr. TONKO. But how is that—I hear the effort to put people on the ground in certain regions and understand the benefit of that. But how is that enhancing coordination? It seems to me you have more locations, so the coordination effort becomes even more difficult.

Mr. PENDLEY. Well, having our employees two time zones closer reduces the geographic barriers that we have right now, because they are in the Mountain West, they are in the Western states. They are available to the stakeholders and the shareholders and the various constituents and partners that we have. They are a short flight away, or they are a drive away. They are available for those consultations.

I think we are going to have more frequent and meaningful conversations. I think our leaders will have a better understanding of Western communities. And I sincerely believe we are going to have earlier decision making and problem solving earlier in the process, instead of it getting all the way back to Washington, over to M Street or at headquarters. Those problems would have been solved by on-the-ground experienced—with our experts from Washington, DC. I sincerely believe this will strengthen the Agency.

I must say I have been mightily impressed with the career people that I work with. They have been tremendous—and I am speaking on substantive issues. I am not talking relocation here. But on substantive issues, whether it is energy, or recreation, or donations to the Department, or, for example, trying to apprehend people shooting burros in the California desert, I have been mightily impressed with the professionalism, the expertise, the knowledge, and the responsiveness of the career people who work for the Bureau of Land Management. I could not be more pleased with their work and their performance. I don't want to lose a single one of them.

And that is my effort. I am not trying to drain the swamp, I am trying to make it more possible for them to do their job.

Mr. TONKO. Well, I agree with you, and I do understand their professionalism, and I do respect it. And I don't want it to be disrespected, or to have morale deflated. So, I would like to direct your attention to the screens for some graphics that I think demonstrate the enhanced coordination.

[Slide.]

Mr. TONKO. Are you concerned that there are only four states with direct flights to Grand Junction?

Mr. PENDLEY. No, sir.

Mr. TONKO. Well, let these slides speak for themselves. How is that enhanced coordination for folks from the other 39 states who could previously fly direct to DC and meet with staff?

Mr. PENDLEY. Well, I think many of them will not necessarily be going to Grand Junction. They will be going to other state offices. We are going to put 222 people—we are going to put another 74 people in these state offices, and those are the people that folks will be visiting.

What we are sending to Grand Junction right now is our headquarters, 27 people. I think there will be need to come and see the Director there, the Deputy Director for operations there. But I think most of the people are going to want to travel to a state office and sit down with an Assistant Director for a specific area, be it recreation, be it energy, be it wild horse and burros.

Mr. TONKO. Well, I still think my concerns for coordination have not been responded to. And with that, Mr. Chairman, I think I have exhausted my time, so I will yield back.

The CHAIRMAN. Thank you.

Mr. HERN.

Mr. HERN. Thank you, Mr. Chairman.

Mr. Pendley, thank you so much for being here today and testifying. As a steward of taxpayer dollars, I think that people who live on the land, live around the land have a lot more credibility, and will be a more responsible government employee, in the sense that they will be able to relate very closely with those folks in these field offices that you are talking about.

It concerns me. I have heard kind of mixed comments from my colleagues across the aisle today, some commending the move, in a sense, and just asking to be sure and work together with Congress, and others being critical and making it a political ploy. Anything that downsizes the scope and the size of Washington, DC somehow seems to be destroying America.

It is amazing to me. I have only been here for about 10 months. It is amazing to me, the size of Washington, DC, and I have a hard time finding a time when there was ever a recession in this city. There are tower cranes everywhere, building. And it seems we want to concentrate more and more power here.

For us, as a government, to want to actually move some people out of here to get them closer to the issues, there is probably not a better example than the BLM. When you look at, as we have talked about a lot, 99 percent of the Federal lands that you are responsible for are west of the Mississippi, and I would say even west of Kansas. And to move it into the heart is, I think, a very sound move. As a person that has been in business my entire life before coming to Congress, decisions are always made better when they are closer to what they have to manage.

So, I applaud you and the Administration for wanting to do this. It should have been done a long time ago. Whether it meant Democrat or Republican, it shouldn't have mattered. We should be trying to get our decision-making and policy-making processes closer to where the issues are. So, I really look forward to working with you and the Department, as we move forward, to do anything we can to help make that happen.

And, hopefully, the political fights can be set aside for this, what I would call a good move. And, again, my colleagues across the aisle, many are in support of this. They have asked for some concerns, whether it is hiring practices or whatever it may be. But I would think that it would be much easier to even hire in those areas for people who have grave concerns for what is going on in their mind that want to be a part of a solution.

And that is the reason I ran for office. When you have concerns, you have an opportunity to go get engaged. So, I think you will have a very receptive employee base in Grand Junction that will want to work and help solidify the positions that the BLM is advocating for our Federal lands. I really applaud you for that.

I am sure that you either have done or are working on not just a justification financially for the move beyond decision making, but I have to believe that in perpetuity this process will save a lot of money for the Federal Government, going forward. And I would hope that all of us in here with our deficits running \$1 trillion a year, debt at \$23 trillion, that we would all want to do a piece of this in a very bipartisan solution to help save money anywhere we can and make great decisions. And this is one that I applaud you on.

Mr. Chairman, I don't have any other questions. I could ask the same questions and be very redundant in asking Mr. Pendley to respond to them.

But Mr. Pendley, I guess just one question would be—Have you looked at a long-term 20-year approach, or a 50-year approach to what the savings would be to the government?

Mr. PENDLEY. Our Office of Management and Budget has looked at it and projected out a \$90 million savings over a 20-year period. I can't speak specifically to those numbers, but that is their calculation.

I think the bottom line is that the Secretary's decision was not driven by the numbers. It was driven by maximizing service to the

American people, and delegating our responsibilities out to the field where decisions need to be made, and increasing our presence out there. But I think we will benefit by savings, and whether it is aviation costs, flight costs, travel costs, location pay, or rentals, it is all about the bottom line.

Mr. HERN. If I might add to that, we saw the slide there about flights from Dulles—which most of us don't fly out of, by the way. I would like to see Reagan put up there—but the reason those are that way is because all the power in the Federal Government is concentrated here, which has driven the need for those flights. If you move certain flights or businesses or departments somewhere else, there will be flights driven to those areas, as well, correct, to certain areas, whether it be Salt Lake, or California. There would be direct flights to those, as well.

Mr. PENDLEY. That is my understanding of how the market works.

Mr. HERN. My colleague reminded us of that earlier. If there is a need, we will be there. Thank you.

Mr. PENDLEY. Thank you.

Mr. HERN. I yield back my time, Mr. Chairman.

Mr. PENDLEY. Thank you, Congressman.

The CHAIRMAN. Thank you. Who is next?

Mr. Fulcher.

Mr. FULCHER. Thank you, Mr. Chairman. And I, too, will shorten things up because there is no sense in being redundant on some of these questions.

But I can tell you that I spent the last 5 weeks, Mr. Pendley, in my district in Idaho, and received quite a few positive comments about that.

Mr. PENDLEY. Wonderful.

Mr. FULCHER. So, I think the perception is generally good, where the rubber meets the road.

I would say I did get one question that I wasn't quite certain how to answer. So, I will just forward that to you to try to get your input on it. One of the concerned people said that Grand Junction is a long ways away from the appropriators in Washington, DC. And I am assuming that they are concerned about budget and the amount of budget appropriation that the Department would get, and so on.

What is the best response to that question?

Mr. PENDLEY. Well, the best response is our core headquarters responsibilities—and that includes budget, and congressional affairs, regulatory affairs, and public affairs, and our FOIA duties—are all still here in Washington. And they are not just in Washington, they are not at M Street. They are down the hall from the Secretary and the Deputy Secretary and our decision makers.

We are going to be able to be responsive to the Congress. We are going to be able to be responsive to OMB and to the Secretary. And I think our BLM employees involved in that area are going to have more interaction with the Secretary and the Deputy Secretary than ever before in the history of the Bureau. I think it is going to strengthen their learning experience.

Mr. FULCHER. Thank you. And just maybe a comment as opposed to another question here, but I come from the business world, and

that is my background, in business. I know it is different than government, but it is very, very common to have regional leadership, regional vice presidents, based on geography, based on markets, and so on and so forth. So, from that standpoint, it is certainly common.

And I do recall, though, that when we would do that, when it got larger, when we would do that type of thing, those who were in opposition to it often were the ones who were afraid about losing control.

And I would also say that if you are from a Western state and you are a long ways away from Washington, DC, and you have a tremendous amount of Federal resources that you are dependent upon, what you want to do is you want to localize that to some extent.

So, generally, I think I agree with the majority of my constituency, that it is a wise move. I just appreciate the help. Thank you.

Mr. PENDLEY. Thank you.

Mr. FULCHER. I yield back. Oh, I yield my time to Mr. Curtis, please, Mr. Chairman.

Mr. CURTIS. Thank you. I would just like to express a regret that I wasn't the one that thought of putting up that chart on airlines, because I would have used that chart to show how hard it is to get from all of those cities to Washington, DC. And the reality of it is we are here to serve, and we shouldn't ask them to come to us, we should be going to them.

Thank you. I yield my time.

Mr. PENDLEY. Thank you.

Mr. FULCHER. I yield back, thank you.

The CHAIRMAN. Thank you very much. Mr. Pendley, some questions for myself.

I am curious about some of the position moves that were determined. The data that we received from the Department shows that four legislative affairs specialists are slated to move to Reno, Nevada, and the Bureau's international affairs specialist, the person in the Bureau that coordinates with the State Department and foreign governments, is being moved to Salt Lake City. Could you explain how it was determined that these were the best locations for them?

Mr. PENDLEY. Well, Mr. Chairman, it is my understanding that we are not sending congressional liaison employees to the West. We are going to have our congressional people here.

We also sought to work with individual employees as to their particular needs.

The CHAIRMAN. OK.

Mr. PENDLEY. And with the locations to which they are being assigned.

The CHAIRMAN. At the briefing with your staff, the staff received, that was the information we had gotten very recently.

Mr. PENDLEY. Excuse me. I want to be precise. Let me ask that I submit that, if you would, sir, for the record, and I will get a response to you so we can be on point.

The CHAIRMAN. Yes, the associated question is—Is there a national legislature that is forming in Reno that none of us here know about?

And with that, let me just—the other couple of questions.

Has the Department of the Interior done any surveys or analysis on how many people might leave the Agency if they are forced to relocate to the West in this case?

Mr. PENDLEY. No, we have done no studies on that.

The CHAIRMAN. And the 45 staff from your testimony, was an estimate?

Mr. PENDLEY. It is my understanding that was a projection based on historical data of the number of people who are eligible for retirement and typically retire. I am advised that most BLM employees do not retire when eligible, but stick around for another 5 years. And we are hoping that what we are trying to do with the employees will cause them to stick around, especially if they have the opportunity somewhere in the West.

The CHAIRMAN. Mr. Director, has any analysis been done to show how this particular move will impact BLM staff, particularly in the areas in which there have been efforts to diversify the staff—women, people of color that are over the age of 40, what that retention is going to be like?

Mr. PENDLEY. The Bureau of Land Management has a very robust diversity and inclusiveness program.

The CHAIRMAN. We have no analysis to—

Mr. PENDLEY. I presided over two of those briefing sessions, and we are committed to diversity and inclusiveness, and we will continue to work on that issue. We will not allow it to fall by the wayside just simply because we are moving West.

The CHAIRMAN. And I am assuming that any analysis dealing with the loss of institutional knowledge or memory relative to the moves—there has been no analysis done in terms of what impact that will have.

Mr. PENDLEY. No, Mr. Chairman, no analysis, simply because we are hoping these people will stay with us. We are hoping that we will provide sufficient inducements that—

The CHAIRMAN. Of the 9,000 employees, what percentage are not in DC?

Mr. PENDLEY. I believe 97 percent are not in DC. We are talking about 3 percent, and the part of the 3 percent is the part that works on the lands out West, the 245 million acres that we manage. Those who work on issues that are core Washington, DC functions, they will remain.

The CHAIRMAN. And let me just—and thank you, I think you clarified it in your testimony, Director. In the opening statement, I mentioned Chief of Staff Mulvaney's comments about draining the swamp, forcing career public servants out of work. He made it clear he thinks that taking steps that get Federal employees to quit is a positive thing. From your testimony, you disagree with that. Am I misreading your testimony on that point?

Mr. PENDLEY. I can only speak for myself and the Secretary. And our position is we do not want to lose a single employee.

The CHAIRMAN. So, you disagree with the Chief of Staff's point on that?

Mr. PENDLEY. I am sorry, Mr. Chairman. I can just speak for my staff, and myself, and my Secretary. We are doing everything we

can, and the Secretary is authorizing me to do everything we can to retain employees.

The CHAIRMAN. And the lingering doubts, Mr. Director, questions, objections to this move, "reorganization," comes from a lack of prior information to the Committee and to Congress in terms of any analysis, justifications, rationale, the lack of information, and the issue that was brought up by my colleagues around the tribal consultation issue, and the issues that were brought up about cost/benefit analysis, and the other analysis points that I made. I think that suspicions about motivation in terms of why this move is going on—and they abound, as they should, given the fact there has been no transparency on it. And, to this date, the full justification, rationale, data, whatever could be produced has not been produced for the Committee, so i.e., this hearing.

You brought some perspective to it. And you clarified the point about not agreeing with the Chief of Staff of the White House. But beyond that, I think those questions continue to linger, and we are going to continue to press the point about getting responses to them, sir.

Let me move to the Members that are present with us.

Ms. Holmes Norton, you have some questions. You have 2 minutes.

Ms. NORTON. Thank you very much, Mr. Chairman. I very much appreciate the opportunity to ask my questions here.

Mr. Pendley, I believe we see a pattern here. In the Fiscal Year 2020 appropriation, I have an amendment that would block movement of two USDA offices out of the Nation's Capital. There is a pattern of this Administration to move even vital parts of the Administration out of the District, the Nation's Capital.

As I understand it, your entire—first of all, 97 percent of the Agency is where it should be, in the field. This is different from other agencies. So, we are talking about very few employees that are necessary for this Committee, for the Congress of the United States, or the President of the United States to be informed.

Let me ask you about coordination. I am concerned not only with the Congress, but with virtually nobody left in DC. It looks like the entire directorate would be gone with no leadership presence in DC. One wonders how the BLM would coordinate with other agencies such as Fish and Wildlife, the Department of Defense, the U.S. Forest Service, or the National Park Service, all a part of what you need in order to fulfill your mission.

How are you going to do that with virtually no leadership here in the District of Columbia?

Mr. PENDLEY. Representative, I will be here. The Deputy Director for Policy and Programs will be here, as well as our congressional, regulatory affairs, public affairs, FOIA, and budget people.

Ms. NORTON. How many people will be left in DC?

Mr. PENDLEY. Sixty-one. But significantly, our partners in the field, the Fish and Wildlife Service, the National Park Service, the U.S. Forest Service, the U.S. Department of Defense, all of those have operations in the field with whom our state offices coordinate—

Ms. NORTON. And they all have directions from Washington, and do not have their entire staff being moved to the field.

Look, I don't object at all to the fact that almost everybody in BLM is in the field. I think it is where it should be.

But I am looking at history and wonder if you have looked at recent years' history of the movement of BLM staff. In the 1990s, the BLM moved its wildlife staff out West. But they had to move them back in during the wildfires because Congress made you do so, because they were unable to do any oversight on the wildfires. Have you looked at that history, sir?

Mr. PENDLEY. It is my understanding that in the 2000s, we moved our Deputy Director and our Assistant Directors and our staff all out to Boise to best handle the wildlife fire issue. That is a huge issue for the Bureau of Land Management. Seventy percent of our firefighting forces at the Department of the Interior are BLM employees. That is crucial to our operations. And we are keen on getting our human resources, human capital resources people out to Grand Junction to—

Ms. NORTON. My point only, sir, was—and my time is running out—you had to move people back to Washington because we, the Congress of the United States, also have to do oversight.

Have you looked at the history of what this same move has done to USDA? They have experienced a 71 percent loss of staff. That is top scientists, people who knew the agencies best. The only answers I have heard from you is you are hoping staff will stay. Here's the evidence: when you have to move your top people with all the experience out of the Nation's Capital, you lose people. Have you taken that into consideration? Have you made a survey of your staff to say, "How many of you would remain if we moved to Grand Junction"?

Mr. PENDLEY. A week from today we are going to notify the people of what specific positions are being relocated. We will be sitting down with those employees. Our human resources people, our employment assistance people—

Ms. NORTON. Would you do a canvass at that time to find out how many of your employees, people who have been with you a long time, people who build in all the expertise, would you to this Committee promise to have before this Committee a survey of staff, so that the Committee will have information on how many will refuse and how many will be glad to move to Grand Junction?

Mr. PENDLEY. We are going to be meeting with people one on one. We are going to be meeting with family members. We are going to be asking their personal needs and being responsive to those needs. I don't think we can provide that information, because that is going to be a one-on-one, employee-to-employee discussion.

Ms. NORTON. Thank you very much, Mr. Chairman.

The CHAIRMAN. Mr. Tipton.

Mr. TIPTON. Thank you, Mr. Chairman.

Mr. Pendley, thank you for taking the time to be able to be here. It happens to be in my district, where the headquarters for the BLM will be located. And I appreciate a lot of the explanations that you are giving.

And I did want, Mr. Chairman, to be able to submit for the record without objection a letter from Colorado Mesa University

and the president there, Mr. Tim Foster, applauding the move and encouraging it to Grand Junction.

The CHAIRMAN. So ordered.

Mr. TIPTON. Thank you. A lot of the concerns that I have actually heard here today—and wanted to be able to sit in on this hearing—was about some of the logistics that are going on.

I would echo a few of the words that were coming from my counterpart, Mr. Curtis, whose district butts up against mine in the state of Utah, the difficulty to be able to get to Washington from the majority of the country. We are going to have another panel that is going to be sitting here, and we have the economic developer out of Mesa County, where Grand Junction is located. It is going to be talking about the efforts of the community to be able to actually work with the BLM to be able to address some of the flight concerns.

But here is the real concern.

Mr. PENDLEY. Yes, sir.

Mr. TIPTON. The real concern is are we getting the real response out of Washington, DC with the people that are making the decisions on the impacts on the lands in the West?

When we look at the 99 percent of the public lands that are in the western United States, when we look at Mesa County, 78 percent of those are public lands; 46 percent of those, I believe, are actually BLM lands. Is it going to be useful to be able to actually have the decision makers on the ground?

When I have toured through my district, there are a lot of bouquets that are given out to the local BLM officials, Forest Service representatives, as well, those that deal with the public lands. But the frustration, ultimately, is separation between Washington, DC and the West, and how those are handled. Could you maybe speak to that issue? I think that is the important thing that we need to be focusing on.

Mr. PENDLEY. Absolutely. And I could not agree more. Nothing beats being on the ground. Nothing beats seeing something up close and personal. We cannot be a good neighbor. We are committed to being a good neighbor. We cannot be a good neighbor if we are not first a neighbor.

And it just totally changes someone's perspective when they are living out West. These are the people they meet at the Albertson's, or church, or wherever they happen to be, that they know up close and personal, and not just because they are the BLM person, but because they live down the block, or they live in the next town over.

And having them on the ground, we can truly have a better appreciation for our Western communities. We have more meaningful conversations and engagements, and we can solve problems earlier in the process instead of all of a sudden some county commissioners have to fly out to Washington, DC and sit down with the Deputy Director or some Assistant Director and say, "This is really going to mess us up," we will have had those people right there, meeting with commissioners, meeting with the locals, and understanding it, they will not be solving that problem in Washington, it will be solved locally.

Mr. TIPTON. Thank you, sir.

And, Mr. Chairman, I want to be respectful of the Committee's time. I appreciate the opportunity to be able to participate. I know we have another panel, so I yield back.

The CHAIRMAN. Thank you, Mr. Tipton.

I thank the witness for your valuable testimony, sir. I appreciate it.

Mr. PENDLEY. Thank you.

The CHAIRMAN. To the Members for their questions. At this point, I invite our second panel to take their places at the witness table.

For the second panel, oral statements are limited to 5 minutes, but your entire statement will be part of the hearing record.

The lights in front of you will guide you. When they turn yellow, that means you have 1 minute left, and when it is red your time has expired.

Mr. PENDLEY. Mr. Chairman, thank you for your time.

The CHAIRMAN. Thank you, sir.

[Pause.]

Ms. HAALAND [presiding]. Thank you all so much for being here.

The Chair will now recognize Dr. John Freemuth, distinguished Professor of Public Policy and the Cecil Andrus Endowed Chair of Environment and Public Lands at Boise State University.

Thank you. You have 5 minutes.

**STATEMENT OF JOHN FREEMUTH, CECIL D. ANDRUS
ENDOWED CHAIR FOR ENVIRONMENT AND PUBLIC LANDS;
UNIVERSITY DISTINGUISHED PROFESSOR, BOISE STATE
UNIVERSITY, BOISE, IDAHO**

Dr. FREEMUTH. Go Broncos. Graduate of Boise State, good to see you.

[Laughter.]

Dr. FREEMUTH. Let me start quickly with the words of James Madison. They actually inform what we are talking about today. And he said, "The Federal Constitution forms a happy combination: the great and aggregate interests being referred to the national; the local and particular to the state legislatures." My point here is simply that the historic trend of the Bureau of Land Management over its history is to become a national agency with values that go from providing for human occupancy and use, grazing, oil and gas, to now more wildlife and environmental values with constituencies that run throughout the United States.

That has been its history. I would say it has pretty much followed the path now of the U.S. Forest Service as a multiple-use agency.

If we are going to talk about reorganization, we all know that there is no such thing as a neutral reorganization. Those of us who study public administration know that there will be people advantaged and disadvantaged by this particular reorganization. We could probably conclude that, in this case, should it come to pass this way, the more local and particular interests will be advantaged, much like they were back in the day when my mentor, Phil Foss, wrote "Politics and Grass" about the BLM in the late 1950s.

But if this is going to proceed, we need to consider some past examples that Congresswoman Norton spoke to in the past. When

they did move all the fire folks to Boise, where I am from, they had to relocate some to Washington, DC because certain aspects of wildland fire operations—yes, it is in Boise—but certain policy and budget decisions ended up back in Washington to some extent.

My concern, too, for the professionals in this agency is what is necessarily going to stop another administration from deciding that people belong back in Washington. And the point here is that we will whipsaw these people back and forth like, unfortunately, we see at times when regulations are rewritten from administration to administration, or perhaps whether we might see that regarding the Antiquities Act and national monument, which, of course, is not on the agenda for this particular Committee.

In Idaho, we were getting the higher-graded range conservationists. They are coming to Idaho and, of course, we are a range state, as Congressman Fulcher knows very well. But it is unclear to people what is going to happen when that happens. I don't think 13s and 14s are going to process permits, and that might disrupt relationships that the range cons that we have in Idaho already have with our permittees, especially southern Idaho.

It is also maybe going to put a chill on the BLM professionals already in the field, if all of a sudden positions they thought they could compete with are now being filled by Washington people instead. In other words, there will be no professional movement like they thought there might be in the past.

One other thing to consider is that—and granted, this is not part of this proposal. But, nonetheless, BLM has a very successful collaborative framework with its RAC, its resource advisory councils. They are very decentralized and very deliberative. And this Administration seems to want to reduce the number of Federal advisory committees, which, ironically, can put a bit of a chill on the very thing we all agree on, which is a localized collaboration and getting people together around the table to try to solve these very difficult problems that agencies like the BLM and so forth and so on have to deal with.

Last point, Ed Shepard is sitting next to me. I have worked with him a long time. I worked with PLF on their student congresses, where they bring young Americans together to learn about BLM management. It is interesting to me that 600 former BLM officials of all persuasions, from oil and gas to wilderness, 12,000 years of experience, and they all don't think this is a good idea. That is pretty rare, to have that kind of unanimity. And I think it is at least worth considering, some of the things that these folks who have been here in Washington are concerned about.

Thank you very much.

[The prepared statement of Mr. Freemuth follows:]

PREPARED STATEMENT OF JOHN FREEMUTH, CECIL ANDRUS PROFESSOR OF ENVIRONMENT AND PUBLIC LANDS AND UNIVERSITY DISTINGUISHED PROFESSOR, BOISE STATE UNIVERSITY

Thank you for the opportunity to speak to the House Natural Resources Committee on the proposed reorganization of the Bureau of Land Management (BLM), primarily the proposed move of the national headquarters to the western United States and Grand Junction, Colorado. My testimony has three components: summary of key points, a context statement regarding BLM public land policy and history, and a discussion of the current reorganization proposal.

I am Distinguished Professor of Public Policy and the Cecil Andrus Endowed Chair of Environment and Public Lands at Boise State University.

KEY POINTS

The historical trajectory of policy related to BLM has been to treat these as national lands, rather than local lands, managed for a diverse set of public benefits.

BLM is a decentralized agency. The question is not about where agency leadership is located but who makes decisions. Centralized decisions that contradict locally and regionally crafted solutions can admittedly be a problem. But decisions that need to be made in Washington will be made by the people who are in Washington. If the BLM Directorate is not in Washington, it will be much less likely to be part of the decision. Examples are presented below.

Reorganizations proposed at the Secretarial level without consulting those affected are not neutral and will create winners and losers. The suggested outcomes for such reorganizations, such as “efficiency,” “effectiveness,” or “close to those affected,” are less important than other outcomes. Examples are presented below.

Reducing the number of BLM’s Resource Advisory Councils (RACs) is counterintuitive as they are locally based and collaborative in purpose. Also, although not part of the reorganization question, collaboratively-based discussions and solutions brought by stakeholders can help unify local and regional support for BLM.

THE PUBLIC LAND CONTEXT

Perhaps the words of James Madison in Federalist 10 do best in framing this context:

The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The trajectory of the public lands, notably for our purposes the BLM managed lands, has been one of an aggregation of interests and policy, becoming national rather than just local in scope.

Public land policy passed through several eras. U.S. land policy predates the founding of the United States itself, as both the British and the colonists, for example, regulated the cutting of forests to preserve a supply of timber for building naval vessels. After the Revolutionary War, the new American nation quickly sought both to acquire more land and to ensure private sector ownership through land disposal. These policies have been termed the *Acquisition* and *Disposal* phases of public land policy by Marion Clawson. One precursor to BLM, the General Land Office (GLO) was created to administer the sale of public lands. Disposal was enacted to raise revenue and promote new settlement. The native inhabitants of these lands were removed from much of the public lands, usually by force. These early policies shaped much of the thinking around land use in the United States and can be traced into the modern era, as disposing public land to private ownership remains attractive to some people.

The 1860s brought a new policy direction concerning Federal land in the western United States, a policy approach referred to as *Reservation*. This policy began in earnest in 1872 with the creation of Yellowstone National Park, the first national park in the United States and the world. Reservation meant that certain public lands would not be sold, but instead be retained or reserved for public purposes that were national in scope. Hence National Parks.

By the 1880s, there were growing concerns over deforestation. Deforestation led Congress to give the President the power to create “forest reserves” in 1891. Renamed “national forests,” they were transferred from the Department of Interior and placed under the administration of the U.S. Forest Service (USFS), which was created in 1905. Congress later took away that presidential power in 1907 but did provide for the creation of additional national forests in the East under the 1911 Weeks Act, which allowed for purchase of certain private lands in the East for conservation purposes. Gifford Pinchot, first Chief of the USFS, helped make it the first professional land management agency in the United States. Pinchot and others made clear that the forests were to be managed to produce resources to be used by citizens. As time passed, we entered the era of *Management* of our public lands.

In the case of the public domain lands the Management Era really began with the passage of the Taylor Grazing Act in 1934. A few years before the Taylor Grazing Act was passed, Federal officials, including Secretary of Interior Ray Lyman Wilbur and President Herbert Hoover, offered to transfer the pre-BLM public lands minus the sub-surface mineral estate to the states to manage. The

states, however, declined, citing the poor condition of the surface estate. The Taylor Grazing Act was passed to manage and regulate western livestock grazing and to help reduce overgrazing. One key phrase of that act stated: “That in order to promote the highest use of the public lands pending its final disposal, the Secretary of the Interior is authorized, in his discretion, by order to establish grazing districts.” Some interpreted disposal to mean “getting rid of” but that was not what Congress chose to do. The Grazing Division was created in the Department of Interior to implement the Act, and the Division later became the Grazing Service. The Grazing Service was merged with the GLO in 1946 to create the BLM.

The early BLM was dominated by and generally conformed to the desires of western Congressmen and their rancher and mining constituencies, leading scholars such as Phillip O. Foss to refer to it as a “private government” or assert that the agency had been “captured” by the interests it was supposed to regulate. The BLM was sometimes referred to as the “Bureau of Livestock and Mining,” as those were the primary commercial uses and users of these lands. Often, BLM employees came (and still come) from smaller western towns and ranch backgrounds and had been primarily trained at western land grant universities, reinforcing the tradition of placing a priority on using Federal lands for their natural resources. Viewed as a western agency, the BLM catered to local and particularized interests during this time period, and in a way that helps one understand the actions of contemporary individuals who believe western lands managed by BLM should be managed for people like themselves.

The passage of the Federal Land Policy Act and Management Act of 1976 (FLPMA) superseded the Taylor Grazing Act, modified and revoked many existing public land laws, and made it national policy that the BLM lands would be retained in Federal ownership. FLPMA stated that the BLM lands should be managed: “In a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use” (Pub. L. No. 94-579, Section 102(a)(8)). To implement FLPMA the BLM became a multi-profession agency very similar to the U.S. Forest Service and its organization evolved to reflect that multi-professionalism. The BLM lands became national lands managed for a diverse set of purposes for the people of the United States.

A change in BLM logos clearly illustrates this change.



FLPMA’s passage, in combination with other new environmental laws and growing public interest in non-commercial purposes such as recreation, wildlife and wilderness, ignited the Sagebrush Rebellion of the late 1970s. There had been previous protests dating back to the creation of forest reserves early in the 20th century, but this 1970s rebellion brought new attention to Federal land management, primarily BLM-managed lands. Now, Foss’s “capture” era appeared over. BLM was slated to manage for multiple uses much like the Forest Service, and that meant users and uses beyond grazing and mining. Citizens who might wish to better understand the era of that Sagebrush Rebellion should consult R. McGregor Cawley’s *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics*.

THE BLM REORGANIZATION

Two of the most eternal, vexing and often intermixed questions regarding public land management have always been “who decides?” and “by what set of criteria?” Answers to these questions advantage certain perspectives and actors, while disadvantaging others. “Who decides” questions are question of power and control. This proposed reorganization, as any reorganization like it, is not neutral. There are winners and losers, those advantaged and those disadvantaged. It seems obvious that Madison’s “local and particular interests” are those advantaged, and those arguing that BLM lands are national lands, disadvantaged. It is also important to understand that other suggested reasons for reorganization, efficiency and effectiveness, are not the only goals of a public agency like BLM. It must be responsive, both in terms of diverse values and in terms of diverse cultures and demographics. It should also be representative of the various publics it serves.

One of the arguments presented for the reorganization of BLM is that it will bring decisions and decision makers “closer” to those affected. While it is true that BLM is located almost completely in the western United States in terms of surface management, it has been well established by the Public Lands Foundation and others that 95%+ of BLM employees are already in the western U.S. BLM is also currently organized by state, not by region. Governors and congressional delegations have more input and relationships with BLM state leadership than they do if BLM was organized by regions. Conversely the Director of BLM has a constituency that is Congress, other Federal agencies and so on. It is much easier to work with those constituencies if one is near to them as Director. It is also where senior leadership builds the relationships that allow them to make more effective and sustainable decisions.

Where decision makers are located may not be as important as who they are. Sometimes it has been my experience working with BLM that local and state level decisions have been reversed in Washington, sometimes without effective communication and frustrating BLM decision makers in the West. But as importantly, if BLM leadership is relocated to Grand Junction, then it will be even more likely that important national decisions will be eventually made, not by that leadership but by political appointees in Washington.

Experience with the wildfire part of BLM provides evidence. When, for a time, all of BLM Fire and Aviation was in Boise, including both policy and budget and operations, policy direction and budget migrated up to the Secretarial level. In other words, decision making and power abhorred a vacuum.

There is another part of the reorganization that needs to be rethought. In the case of Idaho, several range specialists, apparently, will be transferred to the state. The listed reasons for this include helping with litigation, permit management and help with what appears to be BLM Idaho state priorities, though it is hard to be certain from the way the description is written. There are a few problems with this staff change. One, it will be more difficult than perhaps realized, to integrate high level policy specialists with field-level range specialists and expecting them to help with permits may seem farfetched and will not bring more resources to the ground. Dropping these specialists into a rural state where sitting range specialists have already developed relationships with permittees may cause unanticipated problems. Finally, these policy specialists frequently work with policy specialists from other natural resource areas and isolating these specialists from each other will lead to ineffective communication and problem solving.

A related issue is an apparent disconnect between the desire to move decisions to a more “local” level and the desire of the current administration to reduce the number of Federal advisory committees by one-third. The BLM’s RACs are one of the most effective forums for localized discussion, deliberation and collaboration; reducing their number seems counterintuitive. Having chaired the BLM’s Science Advisory Board (SAB) (abolished in 2001) I can attest that that board provided useful advice to BLM and might have been useful today as sage grouse numbers once again decline. BLM staff support to the SAB was exemplary in our view. Although not the focus of this hearing, there have been several collaborative efforts centered on BLM-managed lands that suggest that locally driven solutions within the context of national laws can work without the need for reorganization.

Finally, reorganizations have consequences—some intended, some not, and some left open for reversal later. There have been questions over whether this reorganization will weaken BLM, causing some of its most effective personnel to leave and thus opening the door to what some claim would be the transfer of BLM lands (only Congress can do that) or their sale, and some may be leaving already. I do not know if this is true, but it is certainly possible. It is also possible that a future administration will return BLM leadership to Washington, a decision that will whipsaw the

agency. This reversal occurred in the past with the “rightsizing” initiative. This is not unlike what a future administration might decide to do with Bears Ears and Grand Staircase-Escalante National Monuments, a policy whipsaw that often exhausts those who must implement it. There is plenty of wisdom about political leadership of agencies and changes in policy or reorganization work best if the sitting professionals and managers are consulted because it is much more likely that the proposals will be amended to be more successful. But when professionals and managers are not consulted you are more likely to get resistance and higher chance of failure.

CONCLUSION

The best way to conclude this statement is to reference the concerns of the Public Lands Foundation (PLF). This organization of former BLM employees, employees who served through the West in local and state offices, and in Washington, have taken a uniform position against this reorganization. A rough calculation suggests that they have 12,000 years of experience working for the agency. I know PLF well, having spoken to them at past meetings and worked closely with them on the four Student Congresses they held to bring young college students interested in public lands together to learn about real issues from current and former professionals. PLF members run the gamut from wilderness specialists to oil and gas specialists. If they collectively take the position they have taken, it means something to a close observer of public lands like me and it should to the Committee as well. Thank you for the opportunity to speak with you today.

Ms. HAALAND. Thank you, Mr. Freemuth. The Chair now recognizes Mr. Edward W. Shepard, President of the Public Lands Foundation.

Mr. Shepard, you have 5 minutes.

STATEMENT OF EDWARD W. SHEPARD, CR, PRESIDENT, PUBLIC LANDS FOUNDATION, NEWBERG, OREGON

Mr. SHEPARD. Good morning, and thank you for the opportunity to present our views on this reorganization. PLF is not political. Our members have proudly served BLM Directors of both political parties, so our perspective is based on decades of on-the-ground experience managing the public lands. Cumulatively, we represent thousands of years of experience and knowledge on management and the organization, and at all levels and locations of the organization.

We strongly oppose this reorganization plan. The espoused objectives are sound and good. How they want to get to meet those objectives, we don't feel are right.

The plan would remove BLM headquarters, leadership, and staff in DC from having a seat at the table with national agencies within the Department of the Interior and with other agencies, such as the U.S. Forest Service and Agriculture, with the Congress, and with Washington-based NGOs. It would place the Director and Assistant Directors in one location in Grand Junction, Colorado, and would separate them from their remaining staff, which would be located over several locations in the West.

BLM is a multiple-use agency by its history and by the mandates of the Federal Land Policy and Management Act of 1976. As a multiple-use agency, it is imperative that the disciplines work together on a day-to-day basis to coordinate policy and activities, and separating and isolating staffs in several locations would severely limit their ability to do so.

And we feel this plan is so radical that we really question if it was studied by non-political budget analysts or organizational experts, and whether career BLM senior management was involved or consulted.

One reason given for the organization is to move decision making closer to the field. We agree decision making should be closer to the field, but we do not believe that this reorganization is necessary to achieve that goal.

We fully believe that this reorganization would functionally dismantle the BLM, and ignores the reality that BLM is already Western-based. Ninety-seven percent of the staff is in the field, and has a structure in place to be responsive to Western constituents and stakeholders. Today, it is well organized to serve both the Western constituents and the Washington, DC-based clientele. Most of the managers are on the ground at field, district, and state offices, and are able to make decisions and interact with governors, tribes, other agencies, congressional staff in the field, and the other state and Federal agencies they work with, and the public.

State Directors and Field-Level Managers currently have the delegated authority to make decisions on the ground and to facilitate coordination with state and local governments and tribes. However, in recent years there has been reduced decision making at the field level, not so much because of the BLM headquarters, but because decisions have been pulled back by the Department and other political appointees.

If the goal of the plan is to return decision making to the local level, then we suggest the Department return the decision-making authority to local BLM managers who work daily with the folks in the communities.

We ask that, before this plan is implemented, that the Congress require an independent analysis by the Congressional Budget Office or Government Accountability Office on the actual cost and savings.

And, finally, I would like to address the profound effect this is having on BLM employees across the organization, primarily here in Washington, but also out in the field, who wonder what is going to happen to them, career-wise. A lack of transparency and communication with employees has raised anxiety to really harmful levels, and morale levels are very low. And remember, these are real people, they have real families, and they need to be considered.

Many of the Washington-based employees being directed to move have personal circumstances that give them no other option than to leave the Agency, and this is going to have a long-term detrimental effect on the professionalism of BLM.

Additionally, it is going to have a disproportionate negative impact on women and minorities in the BLM Washington office, and this office has made significant progress in recruiting women and minority into leadership and professional positions, and many of the employees have indicated they can't leave.

In conclusion, although we might agree with some of the objectives of this, we don't agree with the process. We feel that the people are in the field that need to make decisions, that are doing the operational work, and the folks in Washington need to be here to address the issues back here. Thank you.

[The prepared statement of Mr. Shepard follows:]

PREPARED STATEMENT OF ED SHEPARD, PRESIDENT, PUBLIC LANDS FOUNDATION

Thank you for the opportunity to present the Committee our views regarding the Department of the Interior reorganization plan to restructure and move the Headquarters office of the Bureau of Land Management (BLM). As a national, non-profit organization with more than 600 members, comprised principally of retired, but still dedicated, BLM employees, the Public Lands Foundation (PLF) has a unique body of experience, expertise and knowledge of public land management. The PLF is not political; our members have proudly served BLM Directors of both political parties so our perspective is based on decades of on-the-ground experience managing the Nation's public lands.

While the BLM has encountered several calls for reorganization over more than seven decades, none has raised as much concern for us as this one. The PLF is strongly opposed to the BLM reorganization plan submitted to Congress on July 16, 2019. This plan would remove the BLM Headquarters staff and leadership in Washington, DC from having a seat-at-the-table with other national agencies within the Department of the Interior. It would also severely weaken the BLM's ability to collaborate with other Federal agencies whose headquarters are located in Washington, DC in the development of policies and implementation of programs for all Americans in the management of our national public lands.

This plan is so radical that we question whether it was studied or analyzed by non-political budget analysts or organizational experts and whether career BLM senior management were involved or consulted. In short, we believe this plan would require the BLM to serve the short-term wants of locally powerful stakeholders to the detriment of all other constituents and the long-term needs of the public lands. The break-up of the Washington Office structure would ensure the BLM promotes parochial, local interests, rather than the national interest.

Most PLF members have experienced a variety of reorganization efforts. For the most part, these have proven to be counter-productive and costly to taxpayers. In the end, these previous efforts were found to be problematic and were ultimately reversed by the next administration. The PLF would ask that this reorganization plan be withdrawn.

BACKGROUND

Organization

We fully believe this reorganization would functionally dismantle the BLM while ignoring the reality that the BLM is already a western-based agency with 97 percent of its staff in the field and a structure already in place that is responsive to western constituents and stakeholders. Moving Headquarters employees to Grand Junction, Colorado and to several other locations across the West would not aid in the decision-making process and would hinder or eliminate the BLM's participation in legislative, budget, and policy discussions with the Department and Congress in Washington, DC. Today, the BLM is well organized to serve both western constituents and the Washington Office clientele. The relocation plan would result in programs and policies being fragmented and inconsistent among states and virtually all major policy decisions being made by the Department in Washington, DC without the benefit of input from BLM career professionals.

Such a reorganization would also continue to increase the precipitous drop in the number of experienced BLM senior specialists and managers in Washington, DC, who have dedicated themselves to caring for and managing the Nation's public lands and resources for the benefit of the American public and for current and future generations. Many of the people being directed to move have personal circumstances that give them no other option than to resign, retire or leave the agency. This drain of institutional expertise would have serious detrimental consequences for years to come for the management of the country's public lands and minerals.

The BLM is organizationally aligned to have office locations that provide for the appropriate coordination necessary to make sound resource management decisions. The western offices of the BLM provide the operational function for the organization. The current decentralized nature of the BLM allows for efficient and timely responses to western constituents. Approximately 97 percent of the BLM employees are currently located on-the-ground in Field, District, and State Offices to make land use decisions based on public interest, resource conditions, cooperating agency concerns, and BLM policy. These local staffs build and maintain interactive relationships with governors, state legislators, congressional members, county

commissioners, tribes, other Federal agencies, and various local government and user groups.

Local Decision Making

The PLF strongly supports the delegation of authorities to BLM State Directors, District and Field Managers. These BLM managers currently have the delegated authority to make land-use decisions, leasing and permitting decisions, conduct monitoring and compliance activities, provide public land-user assistance, and facilitate coordination with state and local governments, other Federal agencies, and tribes.

In recent years, there has been reduced decision making at the field level as a result of unprecedented involvement by the Department and other political appointees—not from BLM Headquarters. If the goal of this plan is to return decision making to the local level, then we suggest that the Department return decision-making authority to local BLM managers who work daily with local communities. We also recommend that if the goal is to improve operational effectiveness, then the funds should instead be used to hire additional on-the-ground field staff across the West.

Leadership/Presence in Washington

The BLM Headquarters is currently located in Washington, DC. The Bureau Directors of all other Department of the Interior agencies and the U.S. Forest Service within the Department of Agriculture are also headquartered in Washington, DC. Like its sister agencies, the BLM has a significant presence in the East with some of the most significant natural gas development anywhere in the Nation, notably in Louisiana and Arkansas. An agency without a strong leadership presence in Washington, DC has no input into daily discussions regarding policy, budget, legislation and resolution of issues. This would quickly result in a very inefficient and inconsistent organization that would be forced to make decisions state-by-state, which may or may not be consistent or in the national interest. Alternatively, decisions would be elevated to the Secretary's Office, which would result in decisions being made with little-to-no agency input. Local stakeholder input, if any, would be reserved for those whose interests align only with prevailing political interests.

In fact, the reorganization plan would replace Washington, DC, where no single state has an advantage, with a headquarters office in Grand Junction giving a real advantage to Colorado. This would translate into inequities with other western states in terms of funding, program priorities, policy positions, and other management issues. Ultimately, this would result in poor and uneven management of the public lands across the West, where decisions would be weighted toward those states with particularly strong political ties, and to the detriment of the natural resources and the many constituents and stakeholders, who would lose their voices in how their public lands are managed.

Additionally, the decision to place some resource program staffs in specific states would tip the scales for that program's management in favor of the host state while fostering management by silo where each program would be distant—both geographically and policy-wise—from the BLM Headquarters office. This would again foster uneven and inconsistent management and encourage each resource program to act independent from the BLM as a whole.

Under this reorganization plan, the BLM could not ensure the management of our public lands for the "national interest," as required by the Federal Land Policy and Management Act (FLPMA) of 1976. The BLM Headquarters staff and leadership would be removed from the Federal Government seat-of-power and placed in a remote location in the West with little influence in national public land issues.

Budget

We request that before Congress makes a decision on this reorganization you require an independent analysis by the Congressional Budget Office or Government Accountability Office of actual cost savings, if any. The cost savings purported by the reorganization plan have not been subject to rigorous analysis and do not recognize the significant long-term costs to the BLM. Taken together, these will adversely affect the BLM's ability to be one of the Nation's leading revenue raisers. Currently, the BLM brings in more money than it spends, making it one of the few agencies in government to do so. Factors that need to be considered include:

- Utilizing funds to move some 250 employees to western offices will reduce or eliminate relocation funds for several years. The best use of funds for employee moves are for rotating employees throughout their career with the BLM among different duty stations, including Washington, DC. This exposes

employees to a broad range of experiences and creates a highly skilled workforce for the future.

- Loss of experienced staff who will take new positions or retire because they are not in a position to relocate, exacerbating an already steep decline in experienced senior and highly skilled employees.
- Loss of productivity by staff during the disruption of the reorganization effort; the costs for replacement of staff who decide to leave during the reorganization; the costs of inefficiency from scattered Washington Office staff and managers and associated increase in travel costs to facilitate coordination; and the likelihood that the move to the West will be changed in the future and the BLM Headquarters Office would have to be reestablished in Washington.

Morale/Personnel

The reorganization plan will have a profound, disproportionate and negative impact on women and minority employees in the BLM Washington Office. The BLM Washington Office has made significant progress in the recruitment of women and minority employees into leadership and professional positions in the agency and many of these employees have indicated a move would create significant hardships. Some 40 percent of the headquarters staff has indicated a reluctance to move to the West at this time.

CONCLUSION

The reorganization plan suggests that the relocation of the BLM Headquarters staff and leadership is necessary to delegate more responsibility to the field, maximize services to the public, and increase BLM's presence close to the resources in the West. What this reorganization plan will do is sideline the BLM from any influence in national public lands policies in Washington, DC and hinder the multiple use, sustained yield mission on these public lands. We urge you to reject the plan or set it aside until a more thorough, independent study is conducted on the costs and benefits of such a plan.

Ms. HAALAND. Thank you very much. The Chair now recognizes the Honorable Tony Small, Vice Chairman of the Ute Indian Tribal Business Committee.

You have 5 minutes, Mr. Small.

STATEMENT OF THE HON. TONY SMALL, VICE CHAIRMAN, UTE INDIAN TRIBAL BUSINESS COMMITTEE, FORT DUCHESNE, UTAH

Mr. SMALL. Good morning, members of the Committee. Thank you for the opportunity to testify on the reorganization and relocation of BLM to Grand Junction, Colorado, which is within our homelands.

My name is Tony Small. I am the Vice Chairman of the Ute Tribe Business Committee. I am testifying on behalf of our tribe and in support of the joint comments submitted by over 20 large treaty tribes from South Dakota, Nebraska, Montana, Wyoming, Utah, and Idaho.

Our comments provided proposals for the reorganization of Interior, including BLM. We submitted our comments on September 21, 2018. In the year since, there has not been any tribal consultation or reorganization of Interior. The 11 consultations Congressman Bishop was talking about were before this, and did not include BLM. No BLM staff attended these consultations, and BLM relocation was never mentioned.

In the spring of 2019, Interior took an action on one of our requests. They announced that the Bureau of Indian Affairs, Bureau

of Indian Education, and Office of Special Trustees would not be included. Again, this decision was made without any consultation.

If the Interior had consulted with us, they would have seen that there are many improvements that should be made to these agencies. The impact of reorganization on Indian tribes extend far beyond these three agencies. In fact, we will be affected more than anyone else by Interior reorganization and relocation of BLM.

Reorganization is already underway. Over the last couple of years, long-standing offices and experienced staff have vanished, been relocated, or reorganized. These staff and offices provided services and programs that were guaranteed in treaties and agreements between us and the United States. The United States was founded on these treaties and agreements, and any changes to these programs or services requires consultation.

The relocation of BLM to Grand Junction will have a dramatic impact on our interests. We are a major oil- and gas-producing tribe. We rely on energy development to fund our government and provide services to our members. We create hundreds of millions in economic activity. Even though Congress specifically excluded Indian lands from BLM, the Secretary violated FLPMA by directing BLM to provide oil and gas permits, conducting inspections, and much more on Indian lands. If BLM reorganizes, these activities should go back to BIA.

In addition, the millions in funding that goes to BLM should be transferred to BIA to properly manage energy development on Indian lands. This is important to BLM. BLM manages public lands for multiple use for the general public. BIA manages Indian lands in the best interests of tribes. BLM has no business making public land decisions on Indian lands. However, as long as BLM continues its activities on Indian lands, Interior and BLM are required to consult with us on reorganization. Moving BLM to Grand Junction will impact energy permitting on our lands.

No one is talking about moving the White House or Congress to Grand Junction, or any other agencies involved in energy permitting on Indian lands. Moving BLM will reduce coordination, drain expertise, and eliminate accountability. Rather than drain the swamp, BLM will become a tool of special interests, and will lose focus on its national missions, including trust responsibility to tribes.

Grand Junction is in our original homelands. In 1880, we entered into an agreement with the United States to give up millions of acres and to resettle along the Grand River near modern-day Grand Junction. These lands were rich with water resources, but the United States forced us at gunpoint farther west into what would become eastern Utah. In this rocky desert, a 1.9 million acre reservation was established for our benefit.

Ever since, our Uncompahgre Reservation in Utah has been under attack. First, non-Indians over-grazed lands intended for our stock. And, today, BLM permits energy development on our lands. Billions have been made in energy leases and royalties on our Uncompahgre Reservation. BLM splits this money with the state. We have never been paid for the use of our lands. Year after year, the United States forces us to go to court to protect our lands and

enforce treaties, agreements, and trust responsibilities. This must stop.

The United States was founded on treaties and agreements with Indian tribes. I have said it before, and I will say it again. Without these treaties and agreements, the United States would not be here. Any organization of Interior or BLM must be done with our interests in mind, and in consultation with us. You have treaties, agreements, and promises to live up to.

Thank you for your consideration of our testimony.

[The prepared statement of Mr. Small follows:]

PREPARED STATEMENT OF UTE INDIAN TRIBE OF THE UINTAH AND
OURAY RESERVATION

INTRODUCTION

Chairman Grijalva, Ranking Member Bishop and members of the Committee, thank you for the opportunity to testify on the proposed reorganization and relocation of the Bureau of Land Management (BLM) Headquarters to Grand Junction, Colorado and the Ute Indian Tribe's (Tribe) ancestral homelands. My name is Tony Small and I am an elected member of the Ute Indian Tribe's Business Committee and serve as Vice Chairman of the Business Committee.

The Tribe offers this testimony on its own behalf and also in support of the inter-tribal comments submitted by over 20 other large treaty tribes from South Dakota, Nebraska, Montana, Wyoming, Utah and Idaho. The Ute Indian Tribe worked with these tribes to identify tribal priorities and put forward guidelines and principles for the Department of the Interior to include in its proposed reorganization initiative. Those comments were submitted to Interior about 1 year ago on September 21, 2018. Since then, Interior only acted on one of the proposals in our comments—removing the Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE) and Office of the Special Trustee (OST) from the proposed reorganization.

Interior has not provided any other response or reached out to us or other tribes to schedule consultation on these important matters that impact the daily lives of tribal citizens. Interior's own Policy on Consultation with Indian Tribes (Consultation Policy), issued on December 1, 2011, requires consultation on the proposed reorganization of Interior, the relocation of BLM, and all matters affecting Indian interests. Interior's failure to consult with Indian tribes on the proposed reorganization and ongoing relocation of bureaus, agencies and offices that administer Indian lands, natural resources, trust assets and interests is unacceptable.

GRAND JUNCTION COLORADO IS WITHIN THE UTE INDIAN TRIBE'S HOMELANDS

The Ute Indian Tribe is a federally recognized tribe. Our 4.5 million-acre Uintah and Ouray Reservation is located in northeastern Utah. However, since time immemorial the Uintah, Whiteriver, and Uncompahgre Bands of the Ute Indian Tribe occupied ancestral homelands stretching from present-day Salt Lake City, Utah to Denver, Colorado.

Our ancestral homelands include Grand Junction, Colorado. In 1868, the United States entered into a treaty with the Ute Bands that would become the current Ute Indian Tribe of the Uintah and Ouray Reservation as well as other Bands of Ute Indians. Under that treaty, the Ute Bands ceded portions of their aboriginal lands to the United States while reserving approximately 15.7 million acres of land for the undisturbed use and occupation of the Bands located wholly within the boundaries of what would become the state of Colorado.

In 1874, the discovery of large and valuable mineral deposits on the 1868 Reservation prompted the United States to force the Ute Bands to cede 3.7 million acres of their 1868 treaty lands. Mineral discoveries and the continued increase of white settlers within the remaining reserved tribal lands caused Congress to force the Ute Bands to relinquish additional portions of the 1868 Reservation. In particular, in 1880 Congress forced the Uncompahgre Band to cede its interest in the remaining lands of the 1868 Reservation in exchange for the right to settle upon agricultural lands along the Grand River, near present day Grand Junction, Colorado.

Upon arriving at the Grand River and despite an abundance of water and resources, the United States decided that "better" alternative lands would be more suitable for the Bands in the high wilderness desert of what would become north-

eastern Utah. At gunpoint and including a period of detainment in present day Grand Junction, the United States forced the Uncompahgre Band out of Colorado further west into what would become Utah. In this high wilderness desert, the President issued an 1882 Executive Order setting apart approximately 1,900,000 acres as a Reservation for the Uncompahgre Band. Over more than a century later, the Uncompahgre Band continues to occupy our Uncompahgre Reservation, despite the fact the United States has not treated our reservation like any other reservation in the United States.

Specifically, for the past century, the United States continues to push actions and policies intended to take and limit our ability to use and benefit from our lands. Initially, non-Indian settlers were encouraged to settle on our lands through now discredited allotment acts and homestead land policies. Then the United States encouraged non-Indian grazing on our lands that took resources intended for our livestock. Finally, despite long-standing agreements between BIA and BLM regarding Indian and non-Indian grazing within our Uncompahgre Reservation, in 1948, BLM sought the approval of the Secretary to take administrative control of the remaining lands within Uncompahgre Reservation.

BLM has unlawfully managed these lands since 1948 for grazing and oil and gas leasing. For example, on December 12, 2017, the BLM conducted an oil and gas lease sale in the Green River District that included 34 parcels within the exterior boundaries of the Uncompahgre Reservation. Despite our protest, BLM continued with the sale and raised millions in lease bonus payments that will be split between the United States and the state. Billions more in royalties will be made from oil and gas development on our lands and, without intervention from Federal authorities, these royalties will be split between the United States and the state. The Ute Indian Tribe has never received any payment from the United States for the BLM's leasing of our lands.

This history, injustice and mismanagement of our lands is brought to the forefront again by the proposed relocation of BLM to Grand Junction, Colorado on lands that should have been reserved and held for the Uncompahgre Band. The United States has failed to fulfill its obligations as a trustee for the Tribe's land and resources. The United States has a trust obligation and statutory duty to restore tribal lands, protect our homelands, and manage our resources in the best interest of the Tribe. Instead, year after year, the Tribe is forced to resolve these issues in court.

The proposed relocation of BLM to Grand Junction, Colorado without any tribal consultation or consideration of the impacts to the Tribe and other large treaty tribes is another stain on this history of broken treaties, agreements, and promises to Indian tribes. The United States' trust responsibility and government-to-government consultation requirements are the modern-day implementation of these treaties and agreements. The United States was founded on these treaties and agreements and has an ongoing obligation to consult with Indian tribes on matters affecting tribal interests. This includes the proposed relocation of BLM into the Ute Indian Tribe's homelands.

INTER-TRIBAL PROPOSAL ON DEPARTMENT OF THE INTERIOR REORGANIZATION

On September 21, 2018, a coalition of large treaty tribes from across the Great Plains, Rocky Mountain and Western regions submitted an "Inter-Tribal Proposal on Department of Interior Reorganization" to former Secretary of Interior Ryan Zinke. The tribes involved included the Ute Indian Tribe, the Yankton Sioux Tribe, the Winnebago Tribe, the Paiute Indian Tribe of Utah, the Eastern Shoshone Business Council, and other tribes that are members of the Rocky Mountain Leadership Council and the Great Plains Chairman's Association. In the year since the proposal was submitted, Interior has not provided a response or reached out to any of these tribes to engage in consultation.

The Ute Indian Tribe worked with these tribes to develop our inter-tribal proposal as our large treaty tribes will be the most impacted by any reorganization of the Department of the Interior. The reorganization of Interior must be done with prior and meaningful tribal participation and uphold Interior's trust responsibility to tribes. We are not off to a good start.

The large treaty tribes' inter-tribal proposal set forth guiding principles that Interior must consider in any reorganization of the agencies, bureaus and offices involved in managing or overseeing issues related to Indian affairs. These guiding principles provided that any reorganization must: (1) be developed only after true consultation with tribes, (2) respect tribal sovereignty, (3) uphold treaty rights, (4) ensure tribal economic freedom, (5) *not* cut funding, (6) emphasize the trust responsibility, (7) increase funding to the necessary departments and programs to fulfill the unmet needs of tribes and individuals, (8) honor self-determination for tribes,

(9) respect nation-to-nation relationships, and (10) respect sacred lands. Furthermore, the inter-tribal proposal clarified that the proposed reorganization would require congressional approval and cannot be done under the auspices of an Executive Order because agency organization is typically defined by statute.

In its ongoing reorganization and relocation of agencies, bureaus, offices and employees, Interior has failed to meet or act on any of the guiding principles set forth in the large treaty tribes' inter-tribal proposal. First and foremost, Interior has not engaged tribes through information sharing or consultation to discuss the tribes' comments. Instead, Interior moved forward with its reorganization efforts, including the proposed relocation of BLM's headquarters, to the detriment of tribal interests and in violation of its trust responsibility.

LACK OF TRIBAL PARTICIPATION IN THE PLANNING PROCESS

Any reorganization or relocation of Interior's component bureaus, agencies and offices will affect the interests of Indian tribes more than anyone else and cannot be done without meaningful tribal participation. This has already not happened. Early on, BIA held listening sessions to gather comments and input from Indian tribes, but agency wide reorganization plans were already developed and underway. Without any notice or consultation, offices, experts and staff that Indian tribes relied on to deliver services and run programs vanished or were relocated. In addition, since these listening sessions were held more than 2 years ago, there has been no follow up or actual government-to-government consultation.

Listening sessions are not consultation. Interior's Consultation Policy makes clear that "Consultation is a deliberative process that aims to create effective collaboration and informed Federal decision making. Consultation is built upon government-to-government exchange of information and promotes enhanced communication that emphasizes trust, respect, and shared responsibility." Consultation Policy at 2. These listening sessions did not produce "collaboration" or an "exchange of information."

We appreciate that some tribal comments were heard and that in the spring of 2019, Interior stated that BIA, BIE and OST would not be included in Interior's proposed reorganization. However, even this decision was made without any tribal consultation. While we oppose broad relocation and reorganization of BIA and BIE, both of these agencies should be improved by internal reorganization principles as described in our September 21, 2018 proposal.

Beyond these listening sessions with BIA, there has been no discussion or consultation with Indian tribes on the relocation of BLM's headquarters and its impact on Indian interests. This is a clear and obvious violation of Interior's Consultation Policy and the trust responsibility. For all tribes, BLM plays an important role in the management of Indian resources. Interior is required to consult with Indian tribes on its plans for BLM the same as BIA or BIE.

Over this same time period, the Government Accountability Office (GAO) has been studying Federal agency consultation policies and the failure of agencies to fulfill those policies and other consultation requirements. In a March 2019 report entitled "Tribal Consultation—Additional Federal Actions Needed for Infrastructure Projects," GAO found that the Federal Government's process of meaningful consultation is wholly inadequate to ensure appropriate tribal participation in decisions that will affect tribal interest. Specifically, the GAO report identified a number of factors that hinder effective consultation including agencies' processes for initiating consultation, lack of respect for tribal sovereignty and the government-to-government relationship, tribal resources to participate in consultation, Federal officials' knowledge on tribal consultation, and interagency coordination on consultation.

As GAO affirmed, in order to fulfill its trust obligations, any efforts related to the reorganization of Interior, including the relocation of BLM, must be halted until Indian tribes have had a meaningful opportunity to engage in informed consultation and reach an agreement concerning important governance principles, including tribal treaty rights, the Federal trust relationship, and nation-to-nation relations. Because both the broader Interior reorganization and the proposed relocation of BLM will affect tribes and tribal interest in drastic ways, the Federal Government must enter into a process of true consultation with all tribes prior to undertaking any further reorganization measures.

Moreover, it is of paramount importance that any engagement or consultation with tribes on this matter is carried out in a manner that is consistent with the terms of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). In 2010, President Obama officially endorsed UNDRIP and the United States maintains an affirmative legal obligation to adhere to its terms and conditions. More specifically, the Department of the Interior's consultation with tribes on

these reorganization efforts should include and be guided by the concept of “free, prior, informed consent” (FPIC) which is a cornerstone of UNDRIP.

FPIC requires agencies to include tribes early and throughout the process, and to ensure a level of fairness that would result in voluntary consent. Implementing a FPIC process shows tribes that their interests and rights will be affirmed and protected in any reorganization effort. FPIC is an effective solution to the many problems of current consultation policies. It would result in consistency, predictability, and participation at a government-to-government level that respects tribal self-determination and protects tribal rights and resources.

Given the failure of Interior to consult with tribes in a manner that adheres to FPIC principles as well as its failure to comply with the findings of the GAO Report, we support efforts by Representative Betty McCollum and other members of the House Committee on Appropriations to freeze or eliminate funding for reorganization until Interior has consulted with tribes. This is a necessary first step to ensure that tribal interests and concerns are addressed in any reorganization of Interior and relocation of BLM.

REORGANIZATION AND RELOCATION OF BLM WILL IMPACT TRIBAL OIL AND GAS DEVELOPMENT

The Ute Indian Tribe is a major oil and gas producer and has been developing oil and gas on the Reservation for over 70 years. The Tribe leases about 400,000 acres for oil and gas development, and has about 7,000 wells that produce 45,000 barrels of oil a day. We rely on oil and gas development to provide essential government services to our members including land, fish and wildlife management, housing, education, emergency medical services, public safety, and energy and minerals management. Our tribal government has 60 tribal departments and agencies. The Tribe is a major employer and driver of economic development in the Uintah Basin, generating tens of millions of dollars each year.

While BLM lacks authority under the Federal Land Policy and Management Act (FLPMA) to oversee and manage activities on Indian land, the Secretary has unlawfully sought to delegate many important authorities on Indian lands to BLM. On our Uintah and Ouray Reservation, BLM is responsible for approving Applications for Permits to Drill (APDs) and Communitization Agreements (CAs), and inspecting oil and gas operations. BLM also conducts resource evaluation, mineral appraisals, and production verification and Indian lands. In addition, BLM provides technical assistance to Indian tribes and Indian mineral owners and works with tribes when analyzing impacts of development proposals under the National Historic Preservation Act. Beyond resource development, BLM works with tribes on land transfers, wildlife management, and access to sacred sites.

These functions have been carried out by BLM in direct contravention of BLM’s enabling legislation, the Federal Lands Policy Management Act (FLPMA). Under FLPMA, Congress expressly prohibited BLM from exercising *any* authority to regulate tribal lands and limited BLM’s role to the management of public lands. Section 1702(e) of FLPMA specifically excludes tribal lands from the definition of public lands, and therefore excludes tribal lands from BLM’s administration or control. However, the Secretary unlawfully delegated BIA’s authority over oil and gas development in Indian Country to BLM in direct violation of Congress’ intent. This unlawful delegation of authority has resulted in tribal lands being managed as public lands, resulting in extreme delays and unnecessary bureaucratic obstacles in the approval of energy and economic development projects on our lands.

To add insult to injury, in addition to its unlawful interference and management tribal lands resource development and tribal economies, BLM has not held any consultation sessions with Indian tribes on its proposed reorganization and relocation. For example, how will reorganizing BLM into “Unified Regions” based on watersheds address Indian interests? Neither Interior nor BLM have provided any explanation. Prior to taking any reorganization or relocation actions, Interior and BLM are required to consult with tribes on how fundamentally changing the regional structure, decision-making process, oversight, and location of the BLM’s headquarters will impact tribal resources and interests.

The relocation of BLM’s headquarters will also adversely impact tribal interests through the elimination of long-serving career employees that tribes relied on to coordinate their activities with other Interior bureaus and Congress. It has been widely reported that requiring these career employees to uproot their families and move across the country will lead to a drain of expertise and leadership within BLM. Many of those employees have years of experience working with tribes and abruptly losing their expertise will impact Indian interests.

In addition, moving BLM headquarters to Grand Junction, Colorado will impact BLM's relationships with every other Federal Government branch and agency still in DC. In addition, to the White House and Congress, there are a number of other Federal agencies that have authority over public lands, including the U.S. Forest Service, Department of Energy, Army Corps of Engineers, Bureau of Reclamation, and others who will not be relocated. Removing BLM headquarters staff out of Washington, DC and away from these other important agencies and branches of government will result in the breakdown in communications on important discussions and decisions affecting the management of Federal lands. The move will also remove BLM from the direct oversight of Congress and open BLM up to the influence of special interest groups.

REORGANIZATION OF INTERIOR TO SUPPORT INDIAN INTERESTS

Instead of using Interior's reorganization to harm tribal interests, Interior should use the opportunity to recommit itself and its bureaus, agencies and offices to support tribal self-determination, upholding its trust obligation to tribes, and affirming the government-to-government relationship between Indian tribes and the Federal Government. Without working with tribes to work to resolve jurisdictional and economic issues, any reorganization effort will do little more than perpetuate a broken and ineffective Federal system of oversight and control which keeps tribes dependent on the Federal Government.

The most important way Interior's reorganization can support tribal interest is to ensure that reorganization affirms and upholds the political relationship between Indian tribes and the United States. Indian tribes are separate sovereigns that predate the formation of the United States. As separate governments, Indian tribes and their members do not fall into the racial categories of the United States. Instead, the unique legal and political status of Indian tribes is set out in the Constitution, hundreds of treaties, laws, executive orders, and court decisions since the founding of the United States.

Affirming the political status of Indian tribes is a fundamental tenant of Federal Indian law which is increasingly under attack through legal challenges that serve to uproot the Indian Child Welfare Act, undermine the treaty rights of federally recognized tribes to possess and use eagle under the Eagle Protection Act and delegate our treaty rights to "race based" as opposed to "government to government" classifications. The political status of Indian tribes was upheld by the U.S. Supreme Court in *Morton v. Mancari* which embraced the political and government-to-government relationship between tribes and the United States.

In the wake of these challenges, Interior's reorganization should reaffirm Interior's trust responsibility to tribes and ensure that treaty obligations are protected and upheld. Instead, in recent years, Interior has shifted its trust relationship with tribes away from trust resource management to focus on how to best protect the United States from further liability in the wake of the *Cobell v. Salazar* court settlement. Rather than placing further limits on the government's fiduciary and trust responsibilities to uphold and fulfill treaty obligations to tribes and Indian communities, Interior should work to support and tribal self-governance by seeking to resolve the jurisdictional, social and economic limitations that have and continue to cause the underlying problems that exist in Indian Country.

This reaffirmation of Interior's trust responsibility must apply to non-monetary assets such as land, water, and other natural resources along with the management of tribal monetary assets. Interior's reorganization should be carried out in a manner that is consistent with Congress' intent that BIA, as opposed to BLM, maintain administration of Indian lands, as BLM's public land management policies contain restrictive and burdensome requirements that should never apply to Indian lands. In exercising its authority over public lands, BLM is required to manage public lands for: multiple use, sustained yield, and to balance competing resource interests, including in part, historical, ecological, environmental, and archaeological values. Those standards are significantly different from the standards that BIA is required to apply when managing Indian lands in the best interests of Indian trustees and respecting tribal self-determination regarding Indian lands. Allowing the BLM to enforce its public land regulatory regime on Indian lands contradicts the Federal Government's nearly 40-year standing policy of self-determination for Indian tribes.

CONCLUSION

The Department of the Interior's proposed reorganization, including the relocation of BLM's headquarters to Grand Junction, Colorado, will disproportionately impact large treaty tribes. Any reorganization or relocation of BLM must renew and uphold the United States' treaty obligations and trust responsibilities to Indian tribes, and

fulfill government-to-government consultation requirements with Indian tribes. Reorganization efforts should take important steps to improve the programs and services that Interior provides to tribes and their members according to the guiding principles set forth in the large treaty tribes' inter-tribal proposal.

These programs and services are the modern-day implementation of the treaties and agreements that the United States entered into with Indian tribes. The United States was founded on these treaties and agreements and these commitments are a solemn and sacred obligation that must be upheld to ensure the integrity and moral responsibility of this great nation.

Thank you for your consideration of our testimony.

Ms. HAALAND. Thank you very much, Mr. Small.

The Chair recognizes Mr. Tipton for 30 seconds to introduce Ms. Robin Brown.

Mr. TIPTON. Thank you, Madam Chair. It is a pleasure for me to be able to have the opportunity to introduce Robin Brown, who happens to be from my district out of Grand Junction, Colorado.

Robin is the Executive Director of the Grand Junction Economic Partnership, which is the economic development agency for Mesa County. Its primary focus is recruiting businesses into Colorado's Grand Valley.

Prior to moving to Grand Junction in 2010, it is worthy of note that Robin spent 8 years as an attack Army helicopter pilot, deploying twice to Iraq. She also managed public relation businesses and founded "Spoke and Blossom," a lifestyle magazine for western Colorado.

I would like to thank Robin for her service to our country and for being here today to talk about the benefits of moving the BLM headquarters to Grand Junction, Colorado.

**STATEMENT OF ROBIN BROWN, EXECUTIVE DIRECTOR,
GRAND JUNCTION ECONOMIC PARTNERSHIP, GRAND
JUNCTION, COLORADO**

Ms. BROWN. Thank you, Congressman.

As the Congressman said, my name is Robin Brown. I am the Executive Director of the Grand Junction Economic Partnership, which is the economic development agency for the Greater Grand Junction area.

Grand Junction, with a population of 151,000 people, is the largest metropolitan area in western Colorado. We are located about 3½ hours west of Denver on Interstate 70, halfway to Salt Lake City on the western side of the Rocky Mountains. We are also about a 5-hour drive from Nevada, an \$80 plane ride to Las Vegas, and we have 1,500 Federal employees.

There has been a lot of misinformation about Grand Junction today, so I just wanted to get a few corrections in there. We have 18 to 20 daily flights a day from our airport that go to many more locations than were on the slide earlier.

Mesa County, where I reside, is 76 percent public lands. Our economy depends on that land, in both the above-ground and below-ground natural resources that come from them. In Grand Junction, we believe that we can do it all on public lands in a way that both protects and conserves the very lands that we rely on for a healthy economy.

Colorado has the toughest oil and gas regulations in the country, and the industry has responded using technology to severely reduce emissions, while increasing production. Today, we are able to extract fossil fuels in a safer and cleaner way, reducing the impact on climate change, while also providing high-paying jobs and a direct economic impact to our rural communities.

With all of that energy production going on, we are also an outdoor recreation mecca. From my back door, I can hike in a national monument, mountain bike on world-class, single-track trails, kayak the Colorado River, or just sit on my back porch and look at the abundant wildlife that wanders through, whether it is deer, bighorn sheep, pheasant, quail, mountain lions, or bear.

If I hop into my car, I can hunt big game, fish, snowmobile, Nordic or downhill ski within a 40-mile drive from my home. Colorado has the best public land hunting in the country, and people come from all over the world to take advantage of it.

It is not unusual to run across wild horses in Mesa County. They roam the desert area north of Grand Junction, known as the Bookcliffs. Just south of those desert lands are vast rangelands where local ranching families run cattle for beef production, which is Colorado's No. 1 Ag. export.

National conservation areas, we have three. Wilderness study areas, yes. Grand Junction is home to Colorado Mesa University, with a current enrollment of 11,000 students. Within the University, the Natural Resource Center works with Federal, state, and local governments to adopt policies that promote the value of multiple-use and sustained yield.

The Unconventional Energy Center conducts research to help energy producers understand regulatory predictability and both reduce operating costs and the impact on the environment. This Institute positions Grand Junction as the epi-center of energy innovation.

Both of these institutes work closely with our regional BLM office as they study, research, and implement land use policies and procedures. In other words, every single thing that the BLM does can be researched, studied, and put into practice in Mesa County, Colorado.

The arguments against moving the headquarters is based on a lack of trust. Well, I wouldn't trust somebody I have never met, either. So, I invite you all out to Grand Junction to meet the very people who worry you so much. And then we could correct a lot of the misinformation that has been put out today.

I would introduce you to Janie Van Winkle. Janie is a second-generation beef rancher that grazes her cattle on public lands. She is also the best conservationist I know, because, as a rancher, she understands that the lands that she drives her cattle over year after year have to remain healthy in order for her herds to remain healthy.

I would introduce you to Scott Winans. Scott is the president of the Colorado Plateau Mountain Bike Association, a non-profit, all-volunteer organization that builds, maintains, and advocates for mountain bike trails all over western Colorado. There is no better advocacy group for the proper maintenance and long-term health of our trail system. Try riding your bike on a trail after it rains,

or taking a shortcut where there is no trail, and you will get a quick and fierce lesson of proper trail etiquette, as you would deserve.

I would introduce you to Quint Shear, a fifth-generation Coloradan and land man who could tour you through a number of wellpads on the Grand Mesa that intertwine in and out of his favorite hunting and hiking grounds.

With proper planning, these industries can and already do co-exist.

The idea that BLM leadership shouldn't be influenced by the communities that rely on our public lands is misguided. It tells me that you don't trust Janie, Scott, Quint, or people like us from rural communities to advocate for the highest and best use of our public lands.

It also tells me that you don't trust your own leadership to know the difference between those with good intentions and those with bad. And that is ironic, because last year in Washington, DC there were 11,654 registered lobbyists that spent \$3.4 billion influencing you. So, I don't quite see why it is OK to be influenced by more lobbyists than most of these communities have in total population, with more money than all of our annual budgets combined, but not OK to be influenced by the communities who know, love, and protect our public lands best because they live, work, and play on those lands every single day.

Congressmen and women, on behalf of the people of western Colorado, on behalf of Senators Michael Bennet and Cory Gardner, on behalf of Congressman Tipton and Governor Jared Polis, I encourage you to support the relocation of the BLM headquarters to Grand Junction, Colorado, a place where there is actually BLM land. Thank you.

[The prepared statement of Ms. Brown follows:]

PREPARED STATEMENT OF ROBIN BROWN, EXECUTIVE DIRECTOR, GRAND JUNCTION
ECONOMIC PARTNERSHIP

ABOUT GRAND JUNCTION

Grand Junction, Colorado is the largest metropolitan area in western Colorado and is located on the western slope of the Rocky Mountains halfway between Denver and Salt Lake City, Utah. The Greater Grand Junction area includes the cities of Grand Junction and Fruita and the town of Palisade and has a total population of 151,000. Grand Junction is located in Mesa County and is home to Colorado Mesa University and the Grand Junction Regional Airport. The Average Annual Wage is \$42,692. 76 percent of Mesa County is public lands and over 1,500 Federal employees live and work in Mesa County from the Department of Energy, U.S. Forest Service, Bureau of Land Management, and the Colorado National Monument. Grand Junction's economy depends on its public lands, whether it's responsible energy production, rangeland management, or outdoor recreation.

Everything within the BLM's mission can be researched, studied and put into practice in Mesa County, Colorado.

COST OF LIVING

- Grand Junction is the most affordable metropolitan area in Colorado.
- The median price of a Single Family Home is \$260,000.
- Closing costs are, on average, less than 1 percent of the loan amount.
- Average time to close is less than 30 days.
- Average cost per square foot for residential properties is \$164 s/f.
- Median residential rent is \$1,250 per month or .98 cents per square foot.

- Inventory: There are approximately 200 homes and apartments listed for rent and over 650 active listings for sale at this time.

COMMERCIAL REAL ESTATE

- Grand Junction has a variety of move-in ready commercial office space available for lease, as well as a number of prime lots available should the DOI choose to build to suit.
- Average lease rates are \$15 per square foot for Class B office space and \$25 per square foot for Class A office space. This includes utilities and NNN.

COLORADO MESA UNIVERSITY

Colorado Mesa University is the 4th fastest growing university in the country with a current enrollment of 11,000 students. CMU has a variety of programs, including engineering, computer science, cybersecurity, health sciences and nursing, agricultural science, geology, archeology, biological science, and construction technology.

The Redifer Institute is home to multiple research and policy institutes at CMU. One of those institutes, the Natural Resource Center, promotes the adoption of natural resource and land use policies by Federal, state and local governments that support and promote the value of multiple use and sustained yield by providing scientific data and programmatic solutions to guide the development of future policy.

Another institute, the Unconventional Energy Center, conducts research projects that help energy development practitioners with regulatory predictability, reducing operating costs, increasing the effectiveness of extraction and reducing impacts on the environment. This institute positions Grand Junction as the epicenter of energy innovation.

AIR TRAVEL

The Grand Junction Regional Airport currently has 17 daily, direct flights to 8 locations. Direct flight locations include Denver, Salt Lake City, Dallas, Phoenix, Las Vegas, Los Angeles, Mesa and Chicago. Flights support both business and tourism travel. There are 30 flights every day to Washington, DC with one connection. In 2018, the city of Grand Junction passed a lodging tax to be used by the Air Service Alliance to increase direct flight destinations through a minimum revenue guarantee. The Alliance is currently considering San Francisco (to reach Asia).

OPPORTUNITY ZONES

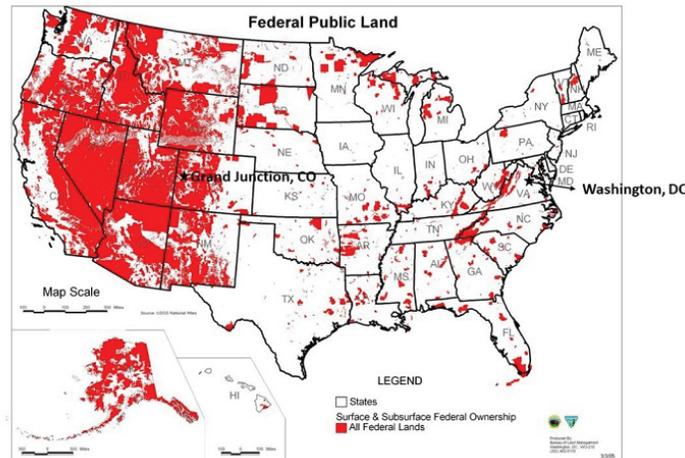
Mesa County has seven Opportunity Zones—the most of any county in Colorado. The combination of affordable real estate, a growing economy, and the tax incentive have made Grand Junction attractive to developers and investors. There are multiple opportunity zone developments underway throughout the city of Grand Junction, including multi-family housing, mixed-use commercial and Class A office space.

MESA COUNTY RELOCATION TASK FORCE

The Mesa County Relocation Task Force is a hands-on, customized team that will ensure an easy transition for all employees and their families. Services include:

- Pre-move visits to all employees and their families to provide information about the region and a single point of contact to assist families at all times.
- Our Real Estate Team will assist employees and their families in finding suitable housing and includes both rental and purchase assistance.
- Our School Placement Team will provide a complete inventory of all public, charter and private schools and assist all students and their families with enrollment, school calendars, academic programs, special needs, and extra-curricular activities, including sports.
- Our Trailing Partner Program will assist all spouses and partners with prioritized, personal job placement in the local region, as well as training programs and/or admission to Western Colorado Community College and Colorado Mesa University.

LOCATE YOUR BLM HEADQUARTERS WHERE THERE IS BLM LAND



OVERSIGHT HEARING TESTIMONY, EXPANDED

Grand Junction is the only metropolitan area in western Colorado with a population of 150,000. We are located about 3½ hours west of Denver on Interstate 70 halfway to Salt Lake City on the western side of the Rocky Mountains.

Mesa County, Colorado where Grand Junction is located, is 76 percent public lands. We have BLM land, U.S. Forest land, National Park land, and State Park land. Our economy depends on that land and both the above ground and below ground natural resources that come from our public lands. Historically, we've been dependent on energy—specifically the natural gas in the Piceance Basin—as our only economic driver and have weathered the boom and bust cycles that come with the industry. However in recent years, our community has worked hard to diversify our economy by growing outdoor recreation manufacturing, tourism, agriculture, healthcare, manufacturing and aerospace. Recent job numbers show that all of these industries have grown while energy has remained stable, leading me to believe that we should be able to weather a downturn in the energy industry in a way that we've never been able to do in the past.

In Grand Junction, we believe in an all-of-the-above approach to economic development. What that means is that we believe that we can do it all on public lands in a way that both protects and conserves the very lands we rely on while balancing that use with an economy that depends on those lands. Colorado has the toughest oil and gas regulations in the country and the industry has responded using technology to severely reduce emissions while increasing production. Today we are able to extract fossil fuels in a safer and cleaner way reducing the impact on climate change, while also providing high-paying jobs and direct economic impact to our rural communities.

With all of that energy production going on, we are also an outdoor recreation mecca. From my back door, I can hike in a national monument, mountain bike on world class single-track trails, kayak the Colorado river, ride my dirt bike, ATV or rock crawling jeep on BLM land, or just sit on my back porch and look at the abundant wildlife that wanders through—whether it's deer, bighorn sheep, pheasant, quail, bobcats, mountain lions or bear. If I hop into my car, I can hunt big game or birds, fish, snowmobile, cross country ski or downhill ski, within a 40-mile drive from my home. Colorado has the best public land hunting in the country and people travel from all over the world to hunt in my backyard.

It's not unusual to run across wild horses in Mesa County. They roam the desert area north of Grand Junction known as the Bookcliffs. It's also not unusual for a cease-fire to be called at the Cameo Shooting Complex managed by Colorado Parks & Wildlife because horses or bighorn sheep wander down into the complex. Just south of those desert lands are vast rangelands where local ranching families run cattle for beef production, which is Colorado's No. 1 Ag. export. National Conservation Areas? We've got three. Wilderness Study areas? Check.

Colorado Mesa University (CMU) is the 4th fastest growing university in the country with a current enrollment of 11,000 students. The University is an incredible partner to our community with programs such as health sciences and nursing, engineering and computer science, agricultural science, geology, archeology, and biological science, creating talent pipelines that will both allow our local companies to grow and attract new business to the area in search of our highly qualified workforce.

Within CMU, the Redifer Institute is home to multiple research and policy institutes. One of those institutes, the Natural Resource Center, promotes the adoption of natural resource and land use policies by Federal, state and local governments that support and promote the value of multiple use and sustained yield.

Another institute, the Unconventional Energy Center, conducts research projects that help energy development practitioners with regulatory predictability, reducing operating costs, increasing the effectiveness of extraction and reducing impacts on the environment. This institute positions Grand Junction as the epicenter of energy innovation.

Both of these institutes work closely with our regional BLM office as they study, research and implement land use policies and procedures.

In other words, every single thing that the BLM does can be researched, studied and put into practice in Mesa County, Colorado.

Colorado is unique in that our state is cut in half by the physical barrier that is the Rocky Mountains, which run north to south through the center of our state. The vast majority of people, business, both private and public investment, along with 86 percent of the state GDP are located on the eastern side of the Rockies along the I25 corridor. However, the vast majority of public lands are located on the western side of the Rockies. In fact, this is true at the national level as well—99 percent of public lands are west of the Rockies. These lands also make up, at least in the west, our most rural communities.

Politically and culturally, our country is experiencing a divide between our rural and urban communities that is unlike any other time in our history. The industries in rural communities are vastly different than those in urban cities. So are lifestyles, foods, languages, and education. The people that make up our urban communities don't physically see where the power to turn on their lights comes from, or where the beef in their burgers are raised, nor do they understand the long-term repercussions when they overcrowd and misuse our trails when they come to recreate.

In Colorado, having a 14,000-foot natural feature called the Rocky Mountains divide the state in two further complicates and exacerbates that divide. Accidents and weather often close our interstate—sometimes multiple times in a day—delaying freight deliveries that are vital to our West Slope economy and also making travel to the state capital difficult, expensive and sometimes impossible. In Colorado, our urban rural divide isn't just political and cultural, but it's also actually physical. And that divide often complicates policy and decisions made at the state level for communities and industries that leadership are often unfamiliar with. And if this is a problem in our own state, how can it not be a problem to have a headquarters located 2,000 miles away from the very lands they are supposed to manage?

The argument against moving the headquarters is based on a lack of trust. A lack of trust in BLM leadership to understand when they're being influenced and a lack of trust in the very communities that hold these lands so dear. Well I wouldn't trust somebody I'd never met either. So I invite you all out to Grand Junction to meet the very people who worry you so much.

I'd introduce you to Janie Van Winkle. Janie is a second generation beef rancher that grazes her cattle on public lands. She's been running cattle since she could sit on a horse and will eventually pass her business on to her son. Janie is the best conservationist I know because as a rancher, she understands, almost more than anybody else, that the lands that she drives her cattle over year after year have to remain healthy in order for her herds to remain healthy for generations to come.

I'd introduce you to Scott Winans. Scott is an engineer for a company called MRP that designs and manufactures mountain bike components. He's also the president of the Colorado Plateau Mountain Bike Association—a non-profit, mostly volunteer organization that builds, maintains and advocates for singletrack mountain bike trails. There is no better advocacy group for the proper maintenance and long-term health of our trail system. Try riding your bike on trails after it rains or taking a short cut where there is no trail and you will get a quick and fierce explanation of proper trail etiquette, as you would deserve.

I'd introduce you to Quint Shear—a 5th generation Coloradoan and landman who could tour you through a number of well pads on his family's ranch that intertwine

in and out of his favorite hunting and hiking grounds. With proper planning, these industries can co-exist.

Speaking of hunting, I'm a public lands hunter and last fall went with my 12-year-old son, Hank, on his first elk hunt. Being with him when he shot his first elk was one of the greatest experiences of my life. He is an incredibly conscientious hunter and conservationist and I am hopeful that he will one day hunt those same lands with his children.

The idea that BLM leadership shouldn't be influenced by the communities that live, work and play on our public lands is misguided. It tells me that you don't trust Janie, or Scott or Quint or people like us from rural communities all over the West to advocate for the highest and best use of our public lands. It also tells me that you don't trust your own leadership to know the difference between those with good intentions and those with bad. And that's ironic because last year in Washington, DC, there were 11,654 registered lobbyists that spent \$3.46 Billion influencing you. So I don't quite see why it's OK to be influenced by more lobbyists than most of these communities have in total population with more money than all of our annual budgets combined, but not OK to be influenced by the communities who know, love and protect our public lands best because they live, work and play on those lands every single day—sometimes over multiple generations.

Congressmen and women, on behalf of the people of western Colorado, I encourage you to support the move of the BLM headquarters to Grand Junction, Colorado—a place where there is actually BLM land.

The CHAIRMAN [presiding]. I turn to Ms. Haaland for any questions she might have.

Ms. HAALAND. Thank you, Mr. Chairman. First, I would like to submit, without objection, a letter from Assistant Secretary Sweeney that cites especially that consultations occurred for the Department of the Interior. And it is very clear that they occurred for the Department of the Interior.

I am clarifying with this letter that no consultations were made for the BLM, specifically. Without objection, I would like to submit this letter, please.

The CHAIRMAN. So ordered.

[The information follows:]

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
WASHINGTON, DC

September 5, 2019

Hon. RAÚL M. GRIJALVA, *Chairman,*
Committee on Natural Resources,
U.S. House of Representatives,
Washington, DC 20515.

Dear Chairman:

Thank you for your letter dated July 23, 2019, to Secretary Bernhardt regarding the United States Department of the Interior's (Department) tribal consultation efforts on the Department's reorganization. Secretary Bernhardt asked that I respond to you on his behalf.

President Trump's Executive Order (EO) 13781, Comprehensive Plan for Reorganizing the Executive Branch, challenged all Departments and Agencies to reorganize to better meet the needs of the American people. EO 13175, Consultation and Coordination With Indian Tribal Governments, directed each agency to have "an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications."

In order to comply with EO 13781 and EO 13175, the Department conducted extensive tribal consultation on the reorganization of the Department, which includes the Bureau of Land Management. These conversations included 11 formal consultation sessions and an additional 7 listening sessions at offices and facilities,

large gatherings, and other venues. We posted transcripts of all 18 sessions we conducted at <https://www.bia.gov/as-ia/raca/doi-reorganization>. Additionally, in 2018, the Secretary held two Tribal leader roundtables specifically on the Department's reorganization efforts. The Department also received comments from 32 individuals or groups that submitted comments in response to the tribal listening sessions.

The feedback gathered from the tribal consultations revealed a preference for the bureaus serving Indian country to retain their current structure rather than becoming part of the unified regions. We respected that feedback, and as a result, the Bureau of Indian Affairs, the Bureau of Indian Education, and the Office of the Special Trustee for American Indians have not realigned their regional field structure to the new unified regions.

Additionally, the Department's reorganization effort has been consistent with and responsive to the feedback received from a broad range of partners and stakeholders, including Members of Congress.

Thank you for your shared interest in this important topic. I look forward to working with you and the other House Natural Resources Committee members and will plan to share additional details when available as the Department continues its planning efforts.

Sincerely,

TARA SWEENEY,
Assistant Secretary-Indian Affairs

Ms. HAALAND. Thank you.

Vice Chairman Small, my question is for you. On July 23, Chairman Grijalva requested the Department of the Interior to suspend the BLM reorganization until adequate tribal consultation occurred. They responded to us just last week, essentially claiming the consultation they had done was more than adequate. Do you feel this is the case?

Mr. SMALL. No, I don't. I think there should be more consultation with tribes.

Ms. HAALAND. Did you speak specifically with any of these folks about BLM issues?

Mr. SMALL. No.

Ms. HAALAND. Thank you. Why is it important that tribes be given a chance to consult on the BLM organization, specifically?

Mr. SMALL. Because, like in my testimony, I was talking about the energy portion of it. They handle a lot of the energy and the leasing part of that for the tribes. So, it is going to affect tribes, not only ours, but other tribes with fishing and different issues that tribes have. So, there needs to be more consultation with tribes.

Ms. HAALAND. Thank you. In your experience, have agency reorganizations and alterations generally improved services to tribes?

Mr. SMALL. When there has been consultation, but most of the time no.

Ms. HAALAND. Most of the time they don't benefit, or most of the time they don't do the consultation?

Mr. SMALL. Most of the time they don't benefit and don't do the consultations.

Ms. HAALAND. OK, thank you. How might this hastily planned reorganization impact your tribe?

Mr. SMALL. The reorganization would impact my tribe financially and every which way, holding up leases. It is the one-stop shop

that the tribe would have. You would be having people in two or three different time zones trying to work on issues. And we have been through that before with our energy issues, and it just doesn't work. It doesn't work. And the impact is going to be detrimental to us, because we depend so much on our energy.

Ms. HAALAND. Thank you. As I have shown in my Honoring Promises legislative proposal, which I am leading with Senator Warren, it is time for the Federal Government to start taking its commitments and obligations to tribal nations seriously. This needs to involve reorganizations, it needs to involve shifting resources. But it cannot take place without the input of tribal communities, and it should not be allowed to put important tribal resources in jeopardy.

And I thank you all for being here, for testifying.

Mr. Chairman, I yield—oh, I have one more. I am sorry. Thank you. I don't have eyes behind my head. I have a question for Mr. Shepard.

Mr. Shepard, the Public Lands Foundation has expressed concerns that this reorganization will impact diversity at the BLM. I find this especially concerning, as minorities make up less than 30 percent of the Department of the Interior workforce. Can you briefly explain why this reorganization would disproportionately impact diversity at the BLM?

And do you believe that this will undermine efforts to address the long-standing challenge of increasing diversity at the Department?

Mr. SHEPARD. Well where BLM has had some of its greatest success has been back here in Washington, DC—attracting women and minorities into professional and leadership positions.

And the people that are here and in those jobs have found that they really, at this time, cannot leave. Many of them have, not only women and minorities, but the other employees, also.

When you look at the demographics of the West, it is a little tougher to recruit women, minorities in particular, in the West. BLM has done a better job of bringing in women and minorities, but we are nowhere near where they need to be.

So, I think losing the folks that we have which are doing a great job would be a big detriment to the Bureau for a long time.

Ms. HAALAND. Thank you very much. I yield to the Chairman. The CHAIRMAN. Mr. Fulcher.

Mr. FULCHER. Thank you, Mr. Chairman. A question for Ms. Brown.

When we were listening to testimony earlier, there was a significant number of concerns that were raised about access, about air travel, lack of access to common airports, connections. How do you respond to that, please?

Ms. BROWN. Well, we have 18 to 20 direct flights a day from Grand Junction to 8 locations. Our air service is actually improving tremendously, as our economy has improved. Currently, we have two other direct flights that are coming on-line in the next 2 years. So, it is not at all hard.

Manufacturing is a large industry for us. We have a lot of manufacturers that regularly travel to Asia or around the country to do their work. You can work on a global scale from Grand Junction.

Mr. FULCHER. Thank you, Mr. Chairman. One follow up.

Ms. BROWN, there are other ways to communicate, as well, and more and more of that is done via the web, whether it be some sort of conference call or Internet video call, those types of things.

Ms. BROWN. We do have Internet in the West.

Mr. FULCHER. Well, that is my question in terms of broadband. What is the broadband coverage? And is it universal across that region? Because not all parts of the country are that way.

Ms. BROWN. Yes. There are markets where I could see where that would be a concern, but we are a large enough market that we have plenty of fast and good, reliable service. My husband actually is in the energy industry, works out of our house, and does all of his work online across the global—

Mr. FULCHER. Last question. You said you had BLM ground in Mesa County, Grand Junction area. How much of that ground do you have?

Ms. BROWN. How many acres?

Mr. FULCHER. How many acres? What is the—

Ms. BROWN. I probably should know that. I don't. It is 360 degrees. It surrounds me.

Mr. FULCHER. The point is there is—

Ms. BROWN. Plenty.

Mr. FULCHER. There is a lot of that within the immediate region, and your—

Ms. BROWN. Yes, 76 percent of our county is public lands, and most of that is BLM. There is some U.S. Forest Service and national monument.

Mr. FULCHER. OK, Mr. Chairman, thank you. I yield back.

The CHAIRMAN. Mr. Gohmert.

Mr. GOHMERT. Thank you, Mr. Chairman.

Ms. Brown, I note you seem concerned or maybe a little bit bothered that people are concerned about moving the Bureau of Land Management's office to Grand Junction. And I have to say it causes me concern because 99 percent has already come out, 99 percent of the land of the BLM is west of the Mississippi.

I have been to Grand Junction, it is a lovely place. It is beautiful. But this basically puts the BLM headquarters right in the middle of the land they control. And that is so inconsistent with a bloated bureaucracy ruling on high from Washington to actually have the people that are managing the land at that land.

So, I hope you don't take offense. This is just very uncharacteristic for the Federal Government to do something that makes this much sense. People immediately become suspicious when the Federal Government does something that makes sense like this. So, I hope you don't take too much offense to that.

Have you spoken to many of the Federal employees that work in Grand Junction now that you brought up in your written testimony?

Ms. BROWN. Well, because we have so many in Grand Junction, yes, I, in my social circle, meet and are friends with many Federal employees.

Mr. GOHMERT. Do they all pretty much indicate being offended that they have to work in Grand Junction?

Ms. BROWN. Well, I think if you have spent your entire life dedicated to an organization like the BLM or some other public lands management agency, you usually like the things that come with those public lands. So, my sense is you want to live near those lands, you want to take part in the activities that come with those lands. And I think that most of the employees that I know, whether they work for the Department of Energy, U.S. Forest Service, National Park Service, or BLM are very happy to live in Grand Junction.

I would say I was a little surprised—one of the testimonies mentioned that 40 percent of the BLM employees in DC would not want to move. And I would argue that if you have a BLM employee that doesn't want to live near BLM land, that is probably the sign that you should reorganize.

Mr. GOHMERT. Yes, I think that is a wonderful point. They don't get out enough, as we say back in east Texas. They just don't get out enough.

You mentioned before about the relocation task force that is there to help with the move. Could you give us more detail about what that will do?

Ms. BROWN. Sure. We recognize very clearly how hard it is, and we recruit a lot of companies to Colorado. Right now we have a lot of interest in California companies to come to Colorado. And we have an employee relocation program that helps move employees and helps make that transition as easy as possible. So, we help you find housing, we help get your kids in schools, any special needs programs that are necessary. We familiarize the people with the area, especially if—a lot of people have not been to Grand Junction, especially from the coastal areas. And probably the most important one is helping spouses find jobs. Most households these days, I think, are dual income. So, helping to find a job for the spouse—or the partner, I should say, the trailing partners program—is almost as important as getting the company. We do a lot of hand holding and making sure that transition is as seamless as it can be.

Mr. GOHMERT. Well, what structure do you have for doing that? Do you have actual employees on the task force that are helping to seek jobs for the government spouses?

Ms. BROWN. We have a number of great partners in Grand Junction, specifically the Mesa County Workforce Center, that helps us to do the job placement.

Also, my board is made up of CEOs and presidents all across the valley. We do a lot of direct—depending on the experience and the industry that person is in, helping to make those direct connections. And you can do that in a smaller town, really build those relationships and get both the partner and the employee kind of enmeshed as quickly in the community as possible.

Mr. GOHMERT. So, if there are BLM employees or spouses of BLM employees that are moving to Grand Junction, with whom should they get in contact to help them take advantage—

Ms. BROWN. They should get in touch with me at the Grand Junction Economic Partnership.

Mr. GOHMERT. And do you have a phone number there?

Ms. BROWN. I do. It is (970) 683-8778.

Mr. GOHMERT. All right. Thank you. That is now part of the record, and hopefully they will take advantage of it.

Ms. BROWN. Yes.

Mr. GOHMERT. Thanks for being here.

The CHAIRMAN. Mr. Gosar.

Dr. GOSAR. Yes. Ms. Brown, I do see some consequences with this move. It is the Palisades peaches and the Olathe corn. People are going to discover that Colorado has the best peaches in the country.

Ms. BROWN. Agreed.

Dr. GOSAR. I am very familiar with the area. The multiple times that I have been there, it is a warm community. It is an embracing community. And one of the things that I noticed in your testimony is that you embrace an all-of-the-above energy policy. Why is that important right now?

Ms. BROWN. We have historically been dependent on only one industry, and that was energy. And that hasn't served us well, just because of the boom-and-bust cycle that comes with being reliant on one industry. So, in the last 3 to 4 years we have made serious efforts at diversifying the economy. We have seen incredible results over the last couple of years. Tech is probably our fastest-growing industry. Outdoor industry and manufacturing is another really fast-growing industry, and we love those industries.

But we don't want to again be reliant on just one. In Colorado, we have a lot of towns that we watch that only have tourism, or only have outdoor rec. And you don't want to be beholden to one industry, no matter what, because of seasonality and a variety of reasons.

So, over the last 2 years we have really built a diverse economy based on many, many industries. And we feel that we can weather most storms that come. But all of those industries—almost all of them—rely on our public lands, simply because of the abundance of them around us.

Dr. GOSAR. I am from Arizona and we drink whiskey because water is for fighting over. Can you tell us what major river you are close to?

Ms. BROWN. The Colorado River runs direct—well, we are named for the junction of the Colorado and the Gunnison River.

Dr. GOSAR. So, you are telling me that we would actually have people in the know making decisions that would have to live and understand the river dynamics?

Ms. BROWN. Absolutely, yes.

Dr. GOSAR. So, there is another plus.

Ms. BROWN. Yes.

Dr. GOSAR. Wow. And the last time I looked, there was an overcommitment on Colorado River water to the population base. Am I right?

Ms. BROWN. Yes, water is serious business in the West.

Dr. GOSAR. Wonderful. You also said in your testimony that all of these studies and verifications can be outlined of why Grand Junction fits the bill. Can you elaborate a little bit more on that?

Ms. BROWN. I mean, I think I just named—we do every single thing within the BLM's mission in our county. And then we have a great university that helps us study and develop that land use policy—

Dr. GOSAR. State?

Ms. BROWN. Mesa—Colorado Mesa University.

Dr. GOSAR. Yes, OK.

Ms. BROWN. Yes, the fastest growing university in Colorado, fourth fastest growing in the Nation.

So, we have a number of programs there that help and work with our land management agencies to help to study, research, and develop that policy.

Dr. GOSAR. I am very familiar with that university. My daughter plays for Regis.

Ms. BROWN. Oh.

Dr. GOSAR. Yes, so out there you have a very good athletic program.

Ms. BROWN. We do.

Dr. GOSAR. Yes. Very, very good.

Ms. BROWN. Yes.

Dr. GOSAR. The other thing that I wanted to highlight is you make a very important fact of conservation—involved in hunting, if I am not mistaken.

Ms. BROWN. Yes.

Dr. GOSAR. So, you understand the real conservation aspects are those hunters that are involved, and people that understand. I look at Ducks Unlimited. I look at the Rocky Mountain Elk Foundation.

Ms. BROWN. Absolutely.

Dr. GOSAR. Can you highlight a little bit more about the environmentally friendly conservation aspect of Grand Junction and that west side of Colorado?

Ms. BROWN. We have all kinds of advocacy groups for all kinds of issues that span—I mean, you could name it when it comes to public lands or game management.

I served as the Western hunting representative for the Wildlife Council, which is the marketing arm for CPW. So, understanding how game is managed, and the importance of the long-term viability of those species, is incredibly important to our community because hunting also is an economic driver. It brings a lot of money into the community, as well, both hunting and fishing.

Dr. GOSAR. Yes. Oh, absolutely. And hiking and everything else.

Ms. BROWN. Yes.

Dr. GOSAR. So, very, very dynamic. And I think that is important to pick out, that people that don't want to go out there really probably don't understand the real dynamics of what is going on within the public lands use.

Ms. BROWN. Absolutely. And I think it is indicative of the urban/rural divide that exists across the Nation today, and why this discussion is what it is, because I think that communities in urban areas—and vice versa—communities in rural areas do not understand each other anymore.

Dr. GOSAR. Yes. Maybe we ought to send everybody some sea slugs.

Ms. BROWN. Or peaches.

Dr. GOSAR. There you go. I just want to commend you. I think it is a great location. It is centrally located. There are so many aspects here. Hands-on, to me, is everything.

Ms. BROWN. Thank you.

Dr. GOSAR. I applaud your effort, and I am looking very forward to seeing a government closest to the people. Thank you.

Ms. BROWN. Thank you.

The CHAIRMAN. Mr. Bishop.

Mr. BISHOP. Well, first of all, we have to settle one issue that is probably the most important one. I can invite you to Peach Days back in Brigham City, Utah, which is the headquarters of peaches. [Laughter.]

Mr. BISHOP. If you really want good peaches, it is our rocky soil. So, you can take that crap back if you want to at some point. We will take you to Peach City and have the peach pie and everything else that is around. Where? Yes, Georgia? It is crap. We have the peaches there.

Beyond that, Ms. Brown, I appreciate you being here. One of the other witnesses said that if we move this to Grand Junction it will have a profound disproportionate and negative impact on women and minority employees. You happen to be the only woman on the panel. So, what is it like living in such a repressive, regressive area of Grand Junction, and how have you managed to survive under such a terrible, terrible atmosphere of repression?

Ms. BROWN. I keep thinking about that comment, and trying to understand exactly what it is saying. And I don't know. The only thing I can take from it is that, for some reason, rural communities are unfriendly—especially in the West—to women or minorities. I am not sure if that was what that comment meant.

I can only speak from my personal experience that Grand Junction is a great place to be a woman. Many of our leadership positions are held by women: our airport director, mayor of city council, county commissioners. Both our chamber and our economic development agency are run by women. There are often times where we have meetings on public projects, and there are only women sitting—we could probably use a few good men out there. So, my experience has been great. I have no issue being a woman in western Colorado.

Mr. BISHOP. Thank you. I appreciate the response to some statements that were truly outrageous.

One of the problems that we do have is interns. This is a very expensive place to live. How would that be different, if actually there were not only jobs in Grand Junction, but also Mexico, Arizona, Boise, Utah, Nevada?

Ms. BROWN. So, if it really comes down to numbers, there is absolutely no question that these communities in the West are significantly more affordable than Washington, DC. I think everyone would agree with that one.

But also, Colorado Mesa University has a really high percentage of first-generation college kids. It provides opportunities for kids that might not otherwise get those opportunities. And, of course, having the BLM headquarters would be an incredible internship opportunity for kids that would never have the opportunity to travel all the way across the country to Washington, DC. and have to find an apartment.

I mean our average home price is \$260,000. There is no comparison to the cost of doing business or the cost of living in a place like Grand Junction compared to Washington, DC.

Mr. BISHOP. I realize every place has stereotypes, and hopefully we have broken down some of the stereotypes that have been presented in some of the testimony here. So, thank you for being here, and I appreciate that.

Ms. BROWN. Thank you.

Mr. BISHOP. I am sure Mr. Tipton appreciates it. And I have also been to Grand Junction for some conferences and meetings. It is a nice place.

Ms. BROWN. It is a nice place. Thank you.

Mr. BISHOP. I yield back.

The CHAIRMAN. Thank you. Ms. Brown brought up the issue of trust, and the issue being that those of us who have objections and questions to this move, this relocation of Grand Junction, that we don't trust the people of Grand Junction. Just for the correction in the record, I don't think it is a question of distrust of the people of Grand Junction. They are fine people, don't have a problem with that. It is the distrust that is centered on this Administration, their motivation, and what is really behind the move that we are trying to get at.

So, there is distrust. I would readily admit that it is abundant when it comes to the decision making at the Department of the Interior and at BLM. The people of Grand Junction weren't responsible for this decision.

And if the consequences are favorable, you are supporting that. For some of us, we have other questions that go much deeper than the fine people of Grand Junction.

Ms. BROWN. I appreciate that, Chairman.

The CHAIRMAN. Mr. Freemuth, public lands belong to all Americans. But it seems reorganization, in my mind, will push a lot of the decision making to specific states, whether it is Grand Junction, Reno, et cetera. What impact will this have on national policy from that perspective?

Dr. FREEMUTH. That is a good question, Mr. Chair. Of course, the first point is, obviously, as Ed and others have said, BLM is organized by state, and the State Directors do have much authority to make most BLM policy. And, ironically, that is probably more local and regional driven than the other Federal agencies, which are organized more by region, not by state.

But to the other part of your question, I think we all know that there are decisions best made in the field, but there will be decisions that come to Washington to be resolved, interagency conflicts, agencies—or questions of national importance that have to be talked about by Congress and others. And if BLM leadership is not in those conversations, then somebody else is going to make those decisions. And BLM won't be able to represent the values it holds in terms of multiple use in all its constituencies.

I am not arguing that BLM ought to make the decision, but if it is not at the table, as the cliché goes, it is dinner.

The CHAIRMAN. Thank you. Mr. Shepard, Acting Director Pendley admitted that no consultation had occurred with agency staff before the decision to uproot lives. You noted there is a lot of anxiety within the Agency because of this. Is there reason to believe that folks might leave BLM in significant numbers as a

consequence of these administrative decisions that have been made?

Mr. SHEPARD. I can't speak to how many will, but I have been told, and I have been told by people that said they will not move, they cannot move, they might move in the future, but they cannot move at this time. And they will leave the Agency. They will either go to another agency at Interior, they will go to the Forest Service or somebody else, or they will just leave government completely.

The CHAIRMAN. And the impact on the Agency if that were to occur?

Mr. SHEPARD. The impact to the Agency is that these are our senior-level people. They have years of experience in the Bureau, most of them with years of experience in the field. And that is going to leave. That is going to go.

BLM tended to send people into Washington to get their experience in Washington and go back out to the field. So, many of them expected to go back out eventually, anyway. But if they are forced out and leave the Agency, then that just won't happen, and the field will lose that experience of the Washington skills that they picked up here.

The CHAIRMAN. If you can, briefly respond to the reaction to your statement, relative to the effect on gender, women, and people of color, in terms of this reorganization.

Mr. SHEPARD. Well, what I intended by that statement is that we have a lot of women and a lot of people of color here in the Washington office. And in the Washington office if those people don't move west and we have lost the skills that those people have, and the experience that they have gained—that was not intended to say that Grand Junction isn't friendly in any way, or any place else, for that matter.

The CHAIRMAN. Yes, these are not just little boxes. These are people's lives, families. And the consequence of this move can't just be supported simply because we are moving little boxes. We are affecting people's lives in a very direct and profound way. I think we need to be cognizant of that. And certainly the Administration needs to be cognizant of that.

I don't have any other questions. Let me turn now to Mr. Tipton for any questions he might have. Thank you.

Mr. TIPTON. Thank you, Mr. Chairman. Again, I appreciate the opportunity to be able to be here today.

In the last Congress, I introduced legislation to be able to have the BLM conduct a study on the opportunity to be able to move those headquarters out to the West.

I think it is worthy of note that this was actually bipartisan: Congressman Perlmutter out of Colorado and a former member of this Committee and now the Governor of Colorado—and we just saw a video of him not long ago—Jared Polis also signed on to that proposal.

And now we are embracing that move of the BLM, literally, to the West.

Ms. Brown, I would like to maybe get an answer from you. But first I would like to be able to point out that I am concerned that we are seeing the potential to try to drive political partisanship

into something that is actually trying to be able to direct what is going to be good policy.

Mr. Small, you had talked about the importance of energy to the Northern Ute Tribe. It happens to be equally important in Mesa County. It happens to be equally important in other areas of Utah, throughout western Colorado, as well. To be able to have the people on the ground, to be able to administer those programs, to be able to look at the permits, to be able to advance those might actually well be a benefit.

But we would like to submit for the record, Mr. Chairman, if I may, a letter from the Associated Governments of Northwest Colorado.

The CHAIRMAN. Without objection.

Mr. TIPTON. Thank you, sir. They write in this letter that the condition of public lands has declined due to the misunderstanding of land management principles by urban centers across the United States. The situation is exacerbated by the location of senior land management leadership in Washington. People who do not live and work daily with the decisions that they make, and the division around the appropriate management of public lands has served to further the urban-rural divide.

I personally fully support the BLM's decision to be able to relocate the headquarters out West, and I am, obviously, very pleased that the Interior Secretary chose Grand Junction. I know that a lot went into that process of selecting Grand Junction.

Ms. Brown, I am hoping maybe you can talk a little bit about that process of the organization, and others in Mesa County, how they engaged with the Department of the Interior during the selection process. Did the Department request information from you? If so, what information did the Department require? Were there any meetings between the Department representatives and the folks from Grand Junction and Mesa County leading up to that selection?

Ms. BROWN. I believe in May we received a request for information from the DOI, and then we had a series of phone calls exchanging information.

But they appeared to be doing a cost comparison of cities across the West, was my understanding, so they wanted very detailed information on average cost per square foot for office, average cost per square foot for housing, closing costs, rental inventory, housing inventory, and a workforce report, what kind of workforce we have in Mesa County.

So, we gathered that information over a couple of weeks and continued to send them, and it was just repeated phone calls and e-mails back and forth between the DOI and my office, gathering that type of information.

Mr. TIPTON. Would you speak to the benefit that you see of moving the BLM headquarters to Grand Junction, to the West?

Ms. BROWN. I mean the benefit, in my mind, is it better serves the communities that rely on public lands. But the added benefit—there is no question that there is a huge cost savings across any of the cities that were considered for the BLM headquarters compared to Washington, DC.

But if it really comes down to what is the most important reason for this move, it is to better serve the communities that rely on our public lands.

Mr. TIPTON. And when we are talking about the public lands, how important is that in the West? You can speak specifically to Mesa County, but you have lived there long enough now. Just to the West, how important are those public lands? Responsible energy development, the access to the public lands for hiking, for fishing, for hunting? Can you speak to that?

Ms. BROWN. It is the most important factor of providing great jobs for the people in our community.

It is kind of interesting, because Colorado is a microcosm of what is happening at the national level. Our state is divided, as you know, Congressman, with the Rocky Mountains and east of the Rocky Mountains is primarily all private land, and west of the Rocky Mountains is primarily all public lands. So, our economies are very, very different between the eastern plains and the western part of the state, and it is the most important thing that affects our economy and the jobs and getting kids off free, reduced lunch.

Mr. TIPTON. I wanted to applaud, really, a lot of the comments that you have made. I think we have heard through some of the questions, not with malintent, but some of the distinguishing factors would be a real benefit to be able to move to Grand Junction. I appreciate you making the effort to be out here and to be able to advocate for it.

Ms. BROWN. Thank you.

Mr. TIPTON. Thank you, Mr. Chairman, and I yield back.

The CHAIRMAN. Ms. Norton.

Ms. NORTON. Thank you very much, Mr. Chairman. Again, thank you for your courtesy in allowing me to ask questions. And I have appreciated the testimony of all the witnesses.

I do want to lay to rest this affordability question. It is an argument for decentralizing the entire Federal Government. There is a reason that the framers decided that the Federal agencies and the Federal Government itself should be here.

As to affordability, of course, parts of the country are more affordable than others, Ms. Brown. But do note that Amazon, which is a private sector employer, is moving people to the District of Columbia and the region. And we are not just talking about this city. And the reason has much to do with the high education levels in this region, the kind of levels that are needed for a headquarters staff, which brings me to my point.

One has to wonder why we are here. Virtually this entire agency is in the field, which is where it should be. Essentially, the argument on the other side is against a headquarters staff. If this proposal were to go through, there would be virtually no headquarters staff, and it would be the only agency that did not have a headquarters staff present here in the Nation's Capital.

It is an extreme proposal, to put it mildly. There is a reason that reorganizations are rarely done.

And this question really goes to Mr. Shepard. Perhaps there are ways to improve the Federal Government. But if you reorganize even one agency, you throw so much up into the air for it to land with no experience as to what to do when it lands, that the Federal

Government most often throws up its hands and says, when you look at the cost, when you look at the loss of personnel, when you look at the hassles, we just don't get enough out of reorganizations to do them.

And the case needs to be made here—and I haven't heard it yet—for an over-riding necessity to say, "We will take all of that, even though the agency is already in the field, we will throw it all up in the air to get these few employees out of headquarters."

I was intrigued, Mr. Shepard, that you mentioned what is always a moment to me—maybe it is because I am a lawyer. I look to precedent. Have we ever done this before? Will it teach us how to do it in the present? And you referenced that there had been past reorganization efforts, that they had been problematic, and even ultimately reversed. I wonder if you have any detail you could offer the Committee on prior reorganizations of any kind.

Mr. SHEPARD. I can. One example that I can give from my personal experience is when I look back on the forestry staff here in Washington, DC. We moved a lot of folks west to what we called centers of excellence. And when they went out to the West, they became a part of that state. Whether it was intended to or not, that is just human nature. They became part of that state organization.

And a lot of the knowledge of what went on, if you went to Oregon, you didn't know what was going on in Utah or Colorado, because you were in that state, you concentrated on that state.

And the way this reorganization was, you won't even have the benefit of going over—if you are a forester and you are making a decision on a policy level thing, you can't walk over to the wildlife staff that also does policy, because you are not there. And that is an issue that is going to happen with this reorganization. You need to work together between interdisciplinary teams, and it won't be there when they are spread out all over the place.

Ms. NORTON. This point you are making is important. There is a whole agency involved here. Somebody has to have the perspective to look across the board at the entire agency. That is why we have headquarters staff here in the first place.

In the case of BLM, the Congress, in its wisdom, has said, notwithstanding the need for a headquarters staff, we are going to put virtually all of you in the field. Yet, there comes this extreme proposal before this Committee to essentially have almost no headquarters staff. I cannot believe that the House and the Senate will look kindly on this matter.

Mr. SHEPARD. If I could quickly add one thing on that, it is not only interdisciplinary within the BLM, it is also working with other agencies. All of the natural resource agencies are headquartered in Washington. There is a lot of work that goes on between those agencies and BLM would not have career professionals at the table.

The CHAIRMAN. Thank you. I want to thank all of the witnesses.

Under Committee Rules, Members could submit questions to the witnesses within 3 business days following this hearing, and the hearing record will be held open for 10 business days for those responses.

I want to thank all of you, and also thank Vice Chairman Small. I didn't have a question for you, but I appreciated you clarifying the consultation issue. I very much appreciated it.

With that, let me adjourn the meeting and thank everybody.
 [Whereupon, at 12:39 p.m., the Committee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

PREPARED STATEMENT OF THE HON. ROB BISHOP, RANKING MEMBER, COMMITTEE ON
 NATURAL RESOURCES

I appreciate my friend from Arizona for convening this hearing today. I, along with my fellow Republicans on this Committee, have long contended that the best land management decisions are made by those who live, work and raise families closest to the areas impacted. I believe this move of Bureau of Land Management headquarters out west is long overdue and will yield tremendous results for land management.

Unfortunately, based on the misleading title of today's hearing, I fear we are in store for some melodramatic hyperbole from some of my friends on the other side of the aisle. It is important that we separate political posturing from the simple realities of what we are discussing today.

The facts are quite straightforward. The BLM manages close to 250 million acres of land. An astounding 99 percent of these lands are located west of the Mississippi River. Moving BLM decision makers closer to the lands that they manage will undoubtedly improve agency efficiency, accountability, and local engagement. To argue otherwise is ignorant at best, and willfully misleading at worst.

We have already seen great success with this concept at the National Interagency Fire Center, where the BLM relocated their Assistant Director, Deputy Assistant Directors, and staff for the Fire and Aviation program to the National Interagency Fire Center (NIFC), the Nation's support center for wildland firefighting, located in Boise, Idaho. By all accounts, this relocation has increased efficiency and improved coordination efforts to combat the deadly wildfires that have continued to afflict our Western states.

These clear benefits seen in the realm of fire activities will most assuredly translate to other BLM functions as well. By having more leadership on the ground, the BLM will be able to respond quicker, coordinate more effectively, and manage with more clarity and on the ground perspective.

I think it is also important to dispel any misconception that this is somehow a partisan issue. There is broad support for this move amongst a wide variety of stakeholders from diverse political persuasions. One of the more vocal supporters of this move is a former Democratic member of this Committee and current Governor of Colorado, Jared Polis. I'd like to briefly share a clip of his thoughts which I believe concisely summarize the many merits of this scheduled move.

I couldn't agree more. This is a good move for BLM, this is a good move for taxpayers, and this is a great move for the West.

My hope is that today we'll now evaluate the tools of this Committee and oversight functions of Congress to expand upon and improve reorganization of the DOI, and work with rather than against the Department to improve the delivery of services to the people we represent.

Statement for the Record

James L. Caswell

Former Director, Bureau of Land Management 2007-2009

Thank you, Mr. Chairman and Ranking Member Bishop, for the opportunity to present my views about the Administration's proposal to reorganize the BLM and move the majority of the Washington Office employees to the west. I am uniquely qualified to comment on this proposal as I served in the George W. Bush Administration as the 16th Director of the Bureau of Land Management. In addition, I have lived and worked in the Pacific Northwest for 54 years, 33 of those years in Idaho, and all as a public lands natural resource professional for the State of Idaho, USDA Forest Service, or BLM.

As a former director, resource manager, and leader I oppose the BLM reorganization plan as submitted to Congress on July 16, 2019. My extensive experience as a public land manager leads me to conclude this proposal to move BLM leadership and staff from Washington D.C. to various locations throughout the west is not in the public interest and will hamstring the agency. To move the director and prin-

ple staff to a relatively small western community signals either a lack of understanding about the complexity and role of agency leadership or, worse, signals a deliberate attempt to weaken the agency. If implemented, the reorganization will functionally dismantle the BLM.

In a recent *Outdoor Life* article William Perry Pendley, the current Deputy Director for Policy and Programs, is quoted as saying: "Our frustration in the west is simply we're dealing with a landlord who's 2,000 miles away. You just don't understand situations without being on the ground. You just have a better perspective. You can read all you want. You can listen to all the PowerPoints you want. You can have as many conference calls as you can plug into a day, but you don't understand until you've got boots on the ground."

I could not agree more; Mr. Pendley is 100% correct and has hit the nail on the head. It also is the principle reason why the current BLM reorganization proposal is so outrageous. The BLM is a decentralized organization with decision authority delegated to the field level. That is why there is a state office in each of the 10 western states, Alaska, and the east, usually located in the state capital or close by in the nearest major political and cultural center for that state. In addition, there are 54 district offices with between 2-5 field offices each appropriately located throughout each state. The location of these offices is in county seats and rural communities serving public land users, and working with other federal, state, and tribal cooperating agencies, and county commissioners. That is a lot of local boots on the ground to properly deal with Mr. Pendley's stated frustration.

It is also misleading to claim that all decisions affecting public lands are made in Washington D.C. That simply is not true. What is true is that some high-profile decisions made at the field level or by State Directors are reviewed by the Director or the Department for concurrence. This is not unique, and it occurs throughout government at both the state and federal levels. What is also true is that referrals are often the result of political concerns brought to Washington by the Assistant Secretary of Lands and Minerals, the Secretary's Office or some other political operative in the Department. Does anyone really believe that simply moving the BLM headquarters to Grand Junction, Colorado, will magically remove the politics from resource management decisions? I think not. In fact, it will only get worse because the leadership and senior specialists will be spread all over the country from Alaska to New Mexico, and California to Colorado. Internal coordination, collaboration, and communication will be difficult at best, and staff work in support of the Department will suffer.

Further, it is disingenuous to imply that BLM career leadership and resource professionals who serve the American people in Washington D.C. have no understanding or connection to the ground and do not understand western issues or relate to local community needs and interests. Nothing could be further from the truth. Most, if not all, career professionals built their careers from the ground up by serving in the field, moving to ever-more-responsible positions in different locations around the west. Most of the current leadership has served multiple tours in Washington D.C. They understand and have lived in both the political environment inside the beltway and in local community environments throughout the west.

Washington D.C. is the seat of power for our republic. It is home to every department, bureau, agency, lobbyist, non-governmental organization, interest group and, most importantly, the U.S. Congress that does business with the BLM Director and senior staff. If the reorganization is implemented as proposed it will effectively take the BLM off the playing field. It is unreasonable to expect that discussions about policy, budget, programs, legislation, new initiatives, or priorities that occur every day will include the directorate in Grand Junction. While some of these discussions are scheduled, many are impromptu. It is a very fast-paced and dynamic environment that changes quickly and often. If relocated, the BLM leadership will become out of touch and rendered ineffective and irrelevant. They will be out of sight, out of mind. Is there anyone who really believes this reorganization will improve decision making, accountability, or internal coordination among senior resource specialists? Will it improve program delivery or better serve our public lands, local communities or the American people? The biggest joke of all is the claim this relocation will save money. Where are the facts to support that assertion?

The one outcome of the proposal that can be counted on is that the Deputy Director for Policy and Programs (a non-career, non-Senate confirmed political appointee) will quickly become the face of BLM in Washington D.C. That outcome is inevitable and consistent with human nature. D.C. operatives want face-to-face access to policy makers, and that individual will be the Deputy Director of Policy and Programs if this reorganization is implemented as proposed.

Mr. Chairman, this proposed relocation and dismantling of BLM headquarters is just bad public policy plain and simple. If not rescinded or modified into a workable proposal, the BLM will be sidelined from any influence in national public lands policy within the beltway. Further, it will damage the bureau's ability to influence Department priorities, policy, budgets, and programs. It will endanger the future of our public lands and constrain the ability of BLM to manage in the public interest as required by the Federal Land Policy and Management Act (FLPMA) of 1976.

Mr. Chairman, I want to thank you for today's hearing. Your oversight is welcomed and desperately needed. Today's hearing will show that the perceived benefits of such a move are without merit, and the adverse consequences could be profound. I ask that you work with your Senate colleagues to hold a hearing and do everything possible to halt the implementation of this plan as currently proposed.

The BLM, the resources it manages, and the people it serves are important, and the agency definitely deserves a national headquarters in our Nation's Capital.

Please include this statement in the hearing record.

COALITION TO PROTECT AMERICA'S NATIONAL PARKS

September 4, 2019

Hon. RAÚL M. GRIJALVA, *Chairman,*
Committee on Natural Resources,
House of Representatives,
Washington, DC 20515.

Dear Mr. Chairman:

On behalf of the Coalition to Protect America's National Parks, I am writing concerning the September 10, 2019, hearing about the proposed reorganization of the Bureau of Land Management (BLM) and its effect on the National Park Service (NPS) and our nation's treasured national parks. The Coalition is largely comprised of retired National Park Service employees with over 1,700 members and roughly 40,000 years of experience leading and working in the National Park Service. The Coalition studies, educates, speaks, and acts for the preservation and protection of the National Park System and mission-related programs of the National Park Service.

This administration seems to think that the bureaus within the Department of the Interior exist in a vacuum. Nothing could be further from the reality found in the day-to-day management of the department. Numerous BLM lands surround or are neighbors to national parks. Our national parks depend on compatible land management to retain ecosystem, cultural, and historical integrity. There were numerous times in past administrations that the director of the National Park Service and the director of the Bureau of Land Management, or their senior staffs, met to resolve conflicts between the bureaus in order to be good stewards of the land.

In the past administration this included issues involving uranium mining, solar arrays, wildlife corridors, science, Grand Canyon water, law enforcement matters, fire management, budget priorities, and many others. The Park Service and the BLM did not always agree; however, many conflicts were resolved and those conflicts were kept within the department. In a similar manner, the NPS also had to work with other federal agencies including the U.S. Forest Service, the National Oceanic and Atmospheric Administration, and the U.S. Army Corps of Engineers. Moving the head of BLM and its senior staff to various locations within the western United States will only result in greater and unresolved conflict between the missions of the agencies. Such failures of collaboration more likely will become publicized and lead to congressional hearings, and expensive and time-consuming litigation.

The current structure of our land management agencies, which has worked for decades, has the senior leadership based in Washington, D.C., in order to respond personally to Congress and the White House and to collaborate with the leadership of other agencies. This location enables them to be available to meet with members of Congress and their staffs, to discuss issues face to face with fellow agency leadership, and to effect change and institute policy on regional and national levels.

The proposed DOI reorganization is not being done to create a more efficient decision-making process, but rather, as Secretary David Bernhardt admitted before a recent audience at the Heritage Foundation, to have these federal employees be subject to the pressure of the states and local individuals when it comes to the

management of our public lands. Secretary Bernhardt contends that Department of the Interior (DOI) employees have been acting “arbitrarily based on policy preferences” in making federal lands decisions without offering any evidence to back up his statement.

Not only are Secretary Bernhardt’s comments insulting to DOI employees, but as with many statements out of the department, the real purpose of this reorganization and many other policy changes is to hide from the American public the reasons for its actions. The secretary is merely continuing the pattern he followed in his work during the administration of former President George H. Bush where he advocated for allowing individuals and corporations to exploit federal lands while circumventing laws, rules, and regulations. Many examples of similar results have been widely documented in the last two plus years where individuals and corporations previously represented by now-Secretary Bernhardt and other political appointees within the department have been able to have rules withdrawn or changed, and policies revised, to benefit them. Unfortunately, our parks, public lands, and the American public suffer the consequences of these unwise actions.

The alleged goal to have agency staff closer to the resource is contradicted by a review of existing staff assignments. Most agency staff and leadership are already in the field. They are already close to the resources they are managing and in position to respond quickly to needs of their local communities. For example, the NPS 2019 budget submitted to Congress showed that with 19,668 full-time staff, only 285 were in Washington, with the rest in the field. And as the *Washington Post* recently pointed out in the article of July 15, there are only 360 BLM employees in Washington while 9,260 are in the field.

The specious arguments offered by the department about the reasons for the reorganization are undermined by facts and the recent comments by Acting White House Chief of Staff Mick Mulvaney who asserted that the recent push to relocate federal workers from the Washington, D.C. area is all about “draining the swamp.” As Mulvaney revealed, the proposed move of BLM and other agency leadership is not to fix a problem of organization, but to break a system that works.

This result was confirmed by Secretary Bernhardt’s August 9, 2019, memorandum to all DOI employees where he assigned the responsibility of the 12 newly appointed Field Special Assistants who report directly to the secretary to “provide a clear and distinct point of contact for stakeholders to elevate, and seek prompt resolution on, issues that involve multiple Bureaus.” This structure totally bypasses the NPS and BLM regional directors as well as the Office of the Directors in Washington, D.C. Any conflicts between the NPS and the BLM in the future will be resolved by, in many regions, individuals who have no experience or expertise in the two bureaus, their missions, or the laws that guide their mission. And with these assignments lasting “typically” one year, the rotation of individuals into these positions will prevent the development of any expertise or continuity and keep the decision-making authority squarely within the secretary of the interior’s office.

We urge the committee to examine the facts of the proposed reorganization and its effect not only on the BLM, but also on the NPS and other bureaus within the department and on other federal agencies that work with the BLM on a regular basis. Your first commitment by law is to the protection of our national parks and public lands and not catering to the desires of states, corporations, or individuals that want to exploit them for their own profit and purposes.

Finally, as taxpayers, we oppose the proposed reorganization because it is a colossal waste of federal funds badly needed for countless projects to preserve landscapes and the wildlife they support. This cost will only be exacerbated when the next administration recognizes the futility of this reorganization and decides to move the BLM staff back to Washington, D.C. in order to have them effectively carry out their mission by being responsive to Congress and the American public without undue pressure from those seeking to profit off the public lands.

We are committed to our mission to support the NPS in the protection and preservation of America’s national parks. And we are concerned that reorganization, relocation, and smear campaigns targeted at the very people who protect our national treasures will have devastating results for our public lands.

Sincerely,

PHIL FRANCIS,
Chair

Statement for the Record**Conservation Lands Foundation****Anne Shields, Member, Board of Directors****Brian Sybert, Executive Director**

Chairman Grijalva, Ranking Member Bishop, and Members of the Committee, thank you for the opportunity to provide testimony on the pending move of the Bureau of Land Management's headquarters to Grand Junction, Colorado.

As the only nonprofit in America solely dedicated to protecting the National Conservation Lands, the mission of Conservation Lands Foundation is to protect, restore and expand the National Conservation Lands through education, advocacy and partnerships. We do this work in partnership with our Friends Grassroots Network—more than 70 community-based groups that advocate for protecting the public lands in their backyard and advancing strong conservation management policies and practices.

The knowledge, credibility, and volunteer spirit of these community-based groups perfectly complement the experience, knowledge and commitment of thousands of Bureau of Land Management (BLM) employees based in communities throughout the American West to fulfill both BLM's mission and the desire of the American public who want their public lands protected today and for future generations. This partnership has helped to achieve meaningful conservation outcomes and the fulfillment of BLM's conservation mandate for management of the National Conservation Lands, particularly as funding for BLM has been reduced significantly over the past decade.

However, the Trump administration has made it their business to attack the integrity of the National Conservation Lands, the communities and the American public who overwhelmingly support them, the cultural, historical and ecological values they protect, and the outdoor recreation-based economies they hold.

This effort began in April 2017 with Executive Order 13792, which called for a review of national monuments designated legally under the Antiquities Act since 1996. It continued with Presidential Proclamation 9681, modifying the Bears Ears National Monument, and Presidential Proclamation 9682, modifying the Grand Staircase-Escalante National Monument, both illegal uses of the Antiquities Act by President Trump on December 4, 2017.

Despite millions of public comments, 99% of which supported preserving the original boundaries for Bears Ears National Monument and Grand Staircase-Escalante National Monument and all monuments under review, former Secretary Zinke recommended significantly reducing the boundaries and protections for Bears Ears and Grand Staircase-Escalante.

The monuments, reduced by 1.1 million acres and more than 861,000 acres respectively, have since that time been subject to reduced protections which are now being further reduced through destructive resource management plans.

Now we see the administration overtly dismantling the agency charged with managing these lands. With 97 percent of BLM staff already stationed at field offices throughout the west, relocating BLM's headquarters and its key policy staff outside of Washington, DC only serves to keep BLM's staff leadership out of sight and puts policy decision-making in the hands of a few political appointees and more removed from congressional oversight. Among those appointees is William Perry Pendley, who has advocated for the transfer and sale of federal lands to the states and private interests. Now, he is the acting director of the agency managing those lands, seeing through the dismantling of BLM so that opponents of public lands can continue their assault.

BLM's senior staff officials direct policy and budgets and are very important to ensuring effective coordination between BLM and Congress. This move will harm the ability of BLM to fulfill its mission, will negatively impact hundreds of BLM employees who work every day to fulfill that mission, and people in communities across the country who partner with BLM every day to steward America's public lands.

The relocation of BLM's headquarters is the linchpin in the broader effort by the Trump administration and opponents of public lands to dismantle and sell off the federal estate.

BLM has a mandate, through the Federal Land Policy and Management Act, to manage lands for multiple uses, including conserving areas important for protecting America's natural heritage, wildlife, Indigenous cultures, and a thriving recreation community that supports local economies.

Protecting public lands with a focus on conservation is not and has never been a partisan issue. Under President Reagan, BLM created more than four million acres of Wilderness and Research Natural Areas, and under President George W. Bush, the agency created more than 10 million acres of protected BLM lands. These National Conservation Lands comprise less than 15 percent of the roughly 250 million acres that BLM manages, and they have been managed with a priority on conservation by both Democratic and Republican administrations until 2017.

This administration is pursuing a blatant strategy to ignore bipartisan support for public lands and hand them over to the oil and gas industry. It's nothing less than a fast-and-furious assault on tens of millions of acres of National Monuments, cultural sites and other iconic American lands and handing them over to oil and gas companies.

In fact, over the next 16 months, the Department is expected to approve management plans that put at risk more than 42 million acres of our nation's iconic and important lands to oil and mineral development. These are places that are visited and cherished by millions of Americans, and they support local economies in rural communities across the American West. They are also sacred places for America's indigenous communities and among the last remaining intact habitats for wildlife important to America's hunters and anglers.

In the past four months alone, BLM has done a bait-and-switch on six management plans covering 22 million acres in Alaska, Colorado, Idaho, Montana, and Oregon. The plans this administration is going forward with are significantly different than the drafts that local BLM officials and community members had collaborated on to reach consensus and figure out what made sense for their community. These draft plans were gutted without regard to local input and concerns. In all six areas, BLM is proposing eliminating protections on 94 percent of the lands with wilderness features, with minimal new safeguards for only a fraction of one percent of the areas. In the coming weeks and months, BLM is slated to release more plans affecting an additional 20 million acres, and we anticipate similar destructive planning decisions.

Public lands, by their very nature, belong to all of us. But the Department of the Interior is taking the public out of public lands; blatantly ignoring the public and its mandate to conserve these places for the past, present and future values they hold for all Americans. Dismantling BLM makes it impossible to properly conserve our cherished public lands and this direct assault must end.

We call on Congress to stop it.

Thank you, Mr. Chairman and members of the Committee, for the opportunity to share this testimony.

DEFENDERS OF WILDLIFE,
WASHINGTON, DC

September 9, 2019

Hon. TJ COX, *Chairman*,
Hon. LOUIE GOHMERT, *Ranking Member*,
House Committee on Natural Resources,
Oversight and Investigations Subcommittee,
1324 Longworth House Office Building,
Washington, DC 20515.

Re: Hearing on September 10, 2019, titled "BLM Disorganization: Examining the Proposed Reorganization and Relocation of the Bureau of Land Management Headquarters to Grand Junction, Colorado."

Dear Chairman Cox and Ranking Member Gohmert:

Defenders of Wildlife (Defenders), and on behalf of our more than 1.8 million of members and supporters, respectfully submits this letter for the record on the Subcommittee's September 10, 2019, hearing on the proposed reorganization and relocation of the Bureau of Land Management (BLM) headquarters. We strongly oppose the administration's plan and urge the Congress to bar its execution.

Defenders is a national non-profit conservation organization that for over 70 years has protected and restored imperiled species and special landscapes throughout North America. Based in Washington, DC, the organization also maintains six

regional field offices and numerous satellite offices and has worked with BLM and in the interest of BLM managed habitat and wildlife for decades.

The BLM stewards the National System of Public Lands—248 million acres of deserts, grasslands, shrublands, forests, wetlands, and tundra stretching from Florida to Alaska—for the benefit of the American people. With 445 threatened, endangered and candidate species and another 2200 sensitive and rare species, the BLM also has a critical role in sustaining our nation’s natural heritage and biodiversity. As an organization dedicated to the conservation and restoration of native species of wildlife and plants and their habitats, Defenders shares a common interest with the BLM in the protection and proper management of America’s public lands, waters and wildlife.

Defenders is deeply concerned about the Department of the Interior’s (DOI) efforts to reorganize the BLM and relocate the agency’s headquarters. This politically driven effort would have significant negative ramifications on the agency’s efficient and effective stewardship of our public lands, waters, and wildlife. Instead, it seems more like a thinly veiled attempt to wound and disable an already embattled agency than a genuine effort to improve how BLM delivers on its mission. The absence of any data and analysis demonstrating how benefits of the proposal outweigh the clearly defined costs and impacts, in terms of both personnel, efficiency and mission effectiveness, underscore this supposition.

The DOI intends to move the BLM Director and 26 senior managers to a new headquarters in Grand Junction, Colorado, and then scatter all but 61 of the remaining DC-based employees among existing BLM state and field offices in ten western states. These employees will be physically separated from each other, their colleagues in other agencies, and national stakeholder organizations that are either based in Washington, DC, or regularly interact with BLM headquarters staff. The DOI also intends to transfer 74 national positions to BLM state offices to perform state-based functions, reducing the headquarters capacity by 13 percent. The 61 staff remaining in Washington, DC, include the Deputy Director of Policy and Programs along with staff responsible for legislative, public, and regulatory affairs and administration of the Freedom of Information Act. DOI has already begun the reorganization process, having solicited bids for office space for occupancy in Grand Junction starting September 16, 2019. The proposal is seriously opposed by numerous sportsmen groups,¹ conservation organizations,² and the Public Lands Foundation, an organization of former BLM employees that advocate for the agency and its mission.³

The DOI has not explained how it will reconcile reorganization of the BLM with other new organizational structures within the department. Specifically, the DOI in August 2019 reorganized the majority of its bureaus to share a new 12-region structure.⁴ Each region will have a Field Special Assistant who reports directly to the Secretary and serves as a “multi-agency leader and convener” on Secretarial priorities⁵ and a Regional Field Committee with representatives from the affected bureaus.⁶ Even as the BLM is expected to participate in this new burdensome reporting system, it appears that the agency will also retain its current state-based structure.⁷ The lack of alignment or integration between these structures is a recipe for inefficiency and confusion.

While improving efficiency of operations and public responsiveness of federal agencies is always a laudable goal, bureau reorganizations are expensive and can considerably compromise employee morale and efficiency. Such extreme restructuring should only be undertaken when a compelling and demonstrable need presents itself and the reorganization is likely to address identified problems.

Conspicuous in its absence is the demonstration of need for BLM reorganization. The DOI has not identified organizational problems related to national office

¹Letter dated August 7, 2019 to Congressional leadership from Montana Wildlife Federation and 13 additional organizations.

²Letter dated August 6, 2019 to Congressional leadership from Coalition to Protect America’s National Parks et al.

³Letter dated July 22, 2019 to Congressional leadership from the Public Lands Foundation.

⁴Memorandum dated July 15, 2019 from Secretary Bernhardt to Assistant Secretaries and Heads of Bureaus and Offices entitled *Implementation and Standardization of the Unified Regions*.

⁵*Ibid.*

⁶*Ibid.*

⁷Letter from Department of Interior Assistant Secretary for Land and Minerals Joseph Balash sent separately to Senator Lisa Murkowski and Senator Tom Udall dated July 16, 2019 providing information on the Department’s planned reorganization of the BLM. (“[T]he BLM has committed that the State Office structure will be maintained.”)

operations or location that in any way would justify the proposed dissolution of the national office. For instance, the DOI has not provided a report, cost-benefit analysis, management evaluation or any other documentation illustrating organizational inefficiencies or failures stemming from national office operations, composition, or location. Further, the DOI has not explained how scattering the national staff across the West and relocating the Director and Associate Directors to rural Colorado will lead to any measurable improvement in operations and efficiencies in support of their mission.

In its July 16, 2019, letter to Senators Udall and Murkowski, the DOI claimed that moving the headquarters to rural Colorado will position these decision-makers closer to the resources they manage; facilitate intra-agency, stakeholder and partner coordination; reduce costs; and improve decision-making based on on-the-ground experience.⁸ These justifications are specious at best and misleading at worst. And there has been no specific data to back up their overly broad assertions. As explained below, the reorganization is quite likely to result in the opposite outcomes.

The BLM has about 11,000 dedicated employees. More than 95 percent are stationed in state and field offices located near the lands and resources they manage. A small force of highly skilled and experienced professionals work in Washington, DC, to craft systemwide policy, oversee national programs, prepare budgets, advise lawmakers, and collaborate with other federal agencies and interest groups. In doing so, they interact daily with other federal agencies, the Office of Management and Budget, the White House, Congress, Departmental officials, and stakeholders. Many of these employees, prior to their headquarters position, spent years in field or state positions and are therefore extremely valuable in ground-truthing Washington, DC, decisions both within the BLM and across agencies and political branches. While small, the headquarters office serves as the nerve center of the BLM, performing essential functions that ensure the National System of Public Lands continues to function as an interconnected network of lands, waters and wildlife.

Managing these extensive natural resources is a complex enterprise that demands cross-disciplinary and cross-jurisdictional collaboration. Issues must be evaluated and addressed at multiple scales, including eco-regional, national and even continental perspectives. Unlike field staff charged with administration of local resource areas, national staff are needed and are positioned to apply the large-scale, multi-disciplinary, and multi-jurisdictional approach that is required to effectively and efficiently implement the agency's mission. They are purposely co-located with one another, with their counterparts in other agencies, with lawmakers and executive branch leadership, and with partners and stakeholders, many of whom are headquartered in Washington, DC, or visit regularly to conduct business there. When staff need to rapidly respond to a request for information, they can walk down the hall to collaborate with colleagues and experts across an array of resource topics such as fish and wildlife, energy, cultural resources, livestock grazing, and watershed management. Similarly, when staff need to tackle a complex and multi-scale issue, they can easily collaborate with their Washington, DC-based counterparts in other agencies and centrally located stakeholder groups.

BLM staff are best able to do their jobs and safeguard the national interest when they can oversee national programs, develop budgets, and ensure consistent implementation of policy separate from regional bias or influence. Just as other Federal agencies maintain major headquarters in Washington, DC, and outside of any state boundary, the BLM's national office benefits from being located separate from BLM state offices. Its neutral location buffers the national staff from being unduly influenced by one state over others and enables them to implement their program oversight and implementation duties more equitably and through a national lens. In this way, BLM can assure that they are serving the national interest and operating as an agent for all Americans.

DOI's proposed reorganization of the BLM and relocation of the headquarters to rural Colorado will upset this purposeful arrangement and make it more difficult for the BLM national staff to perform their national duties and ultimately to protect our nation's public lands and waters and the wildlife that depend on them. Specifically, the DOI reorganization plan will:

Drain Critical Resource Management Expertise. The BLM employees that work in the Washington, DC, headquarters are highly skilled with years of experience in resource management and policy. DOI's reorganization will cause the agency to lose this critically important wealth of expertise. Forcing Washington, DC-based staff to

⁸*Id.* at 4, 8–12.

move away from Washington, DC, to various western locales risks expert planners, scientists and managers quitting the BLM or even federal service altogether because they are understandably unwilling or unable to recklessly uproot their families and personal lives when little or no rationale for doing so has been provided by the DOI. Further, the proposed reorganization will remove 74 national staff (13%) from their national positions and transfer them to field positions in BLM state offices, further draining critical expertise from national programs.

Balkanize Resource Management Functions. The DOI restructuring splits up and scatters Washington, DC-based resource management experts across 10 western states, physically separating these specialists from each other, agency leaders, including their directorate leads, and from the counterparts they work with in other agencies. This will hinder interdisciplinary collaboration and cooperation—both internally and externally—and silo resource management programs. Additionally, isolating national staff from their peers and co-locating them with state-office staff risks them working less on national work and instead being drawn into the priorities of a particular state office at the expense of national priorities and the needs of other state offices.

Undermine Participation and Representation in National Policy Making. National policy and organizational budgeting are developed and managed from Washington, DC, where Congress, agency leaders, and stakeholder organizations conduct business. Removing BLM career experts from this mix reduces the agency's participation and representation in major policy discussions and decisions, and ultimately disempowers and disenfranchises the BLM. Professional resource managers will not regularly be representing the National System of Public Lands at important policy and strategic meetings.

Consider that many of BLM's national fish and wildlife partners are located in Washington, DC. Those that are not based there, regularly travel to the capital to meet with agencies, Congressional offices, and other stakeholders. In contrast, only 3 percent of the agency's partners are located in Utah where the fish and wildlife conservation staff are slated to relocate. Most key stakeholders are much less likely—or will be unable—to engage with the BLM if staff are not located in Washington, DC, and instead scattered throughout the western states.

Diminish the Role of Science in Policy and Decision-Making. Moving BLM's leadership and professional staff out of Washington, DC, has real ramifications for the quality and timeliness of agency decision-making and the fate of our national resources. The proposed changes will undermine staff's ability to participate in on-site multi-agency collaborations since many of these will continue to occur in Washington, DC. BLM national staff, for instance, participate in inter-agency working groups on migratory birds, amphibians and reptiles, and threatened and endangered species to advance conservation and recovery of at-risk species. Further, BLM national staff will not be able to easily collaborate with one another to provide well-considered cross-disciplinary analyses and recommendations to agency leadership, particularly troubling when rapid responses are required.⁹ More decisions will be made at the Secretarial level without benefit of career staff's science and policy expertise.¹⁰ All of this will reduce the influence of science in decision-making and diminish the level of stewardship afforded to fish, wildlife, and other resources under BLM stewardship.

The BLM's Species Recovery Fund initiative illustrates the importance of inter-agency coordination. Administered by the BLM in close coordination with partners such as the U.S. Fish and Wildlife Service, U.S. Forest Service and the Department of Defense, the initiative coordinates projects designed to support down-listing or delisting of federally protected species. Not being present with agency partners in Washington, DC, will make it more difficult, if not impossible, to coordinate this

⁹See, e.g., letter dated July 22, 2019 to Congressional leadership from the Public Lands Foundation at 2 (“An agency that does not have any appreciable leadership presence in Washington has no input into daily discussions regarding policy, budget, legislation, and resolution of routine issues . . . There will be limited ability for the historic interdisciplinary coordination that occurred in the Washington office that is so important in establishing consistent procedures for the multiple-use management of our public land resources.”)

¹⁰*Ibid.* (“This reorganization proposal will result in a weak and ineffective management structure, a loss of national coordination and oversight capability, a loss of consistent agency policy development and implementation, and a subrogation of national interests to powerful local interests . . . This will quickly result in a very inefficient and inconsistent organization that will be forced to make decisions state-by-state that may or may not be consistent or in the national interest. Alternatively, decisions will be elevated to the Secretary's Office, which will result in decisions made with no agency and local stakeholder input.”)

highly successful initiative. Species that benefited from this coordinated effort in recent years include the Inyo California towhee, Borax Lake chub, Maquire daisy, and coral pink sand dune tiger beetle.

Disrupt Essential Functions and Undermine Morale. In August, Mick Mulvaney, the acting chief of staff to the President, touted the fact that moving agencies outside of Washington, DC, is a “wonderful way to streamline government” due to employees quitting rather than relocating. Indeed, BLM reorganization will divert scarce resources away from delivering essential, mission-critical functions, distract staff, and further undermine morale. As in any business, successful delivery of the mission happens by the hard work of qualified and dedicated staff. By ordering staff to relocate to far flung locations, separating them from their professional colleagues, and erecting barriers to fruitful collaboration, the DOI will further demoralize and distract career experts and diminish agency responsiveness, which will ultimately impact the stewardship of our public lands, water, and wildlife. At a time of shrinking appropriations for conservation, recreation and other vital management programs at the BLM, it is blatantly irresponsible to invest scarce funding into a process that will almost certainly fail to improve government performance or provide a fair return to taxpayers.

In summary, while the Secretary asserts increased functionality and efficiency, reorganization will more likely deal a significant blow to the BLM and the public lands and resources it oversees. Absent a strong presence in Washington, DC, the agency will be sidelined in its role. Decisions will be made by the Secretary and other political appointees without the stabilizing presence and input of career professionals. Fanned out across the western U.S., resource experts won’t easily be able to collaborate or coordinate with one another, their colleagues in other agencies, and non-governmental partners. And the wealth of expertise that resides in the national office will be eroded—all to the detriment of our national lands and waters and the wildlife that depend on them.

Absent a compelling showing of why this reorganization is needed and how it will advance the BLM’s capacity to steward the National System of Public Lands for the benefit of all Americans, it seems increasingly clear that the administration’s goal is to dismantle the BLM’s nerve center to facilitate its exploitation agenda. On behalf of our more 1.8 million supporters and the thousands of wildlife species who call our National System of Public Lands home, we respectfully ask Congress to oppose and block this damaging reorganization.

Thank you for your attention to this critically important issue.

Sincerely,

JAMIE RAPPAPORT CLARK,
President and CEO

NATIONAL PARKS CONSERVATION ASSOCIATION

September 9, 2019

Hon. RAÚL M. GRIJALVA, *Chairman,*
Hon. ROB BISHOP, *Ranking Member,*
Committee on Natural Resources,
U.S. House of Representatives,
Washington, DC 20515.

Hon. TJ COX, *Chairman,*
Hon. LOUIE GOHMERT, *Ranking Member,*
Subcommittee on Oversight and Investigations,
Committee on Natural Resources,
Washington, DC 20515.

Dear Chairmen Grijalva and Cox and Ranking Members Bishop and Gohmert:

We respectfully request that this letter be submitted for the record for the House Natural Resources Committee Subcommittee on Oversight and Investigations’ September 10th Hearing, “Oversight: BLM Disorganization: Examining the Proposed Reorganization and Relocation of the Bureau of Land Management Headquarters to Grand Junction, Colorado.”

Since 1919, National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our more than 1.3 million members and supporters nationwide, I write with deep concern about the relocation and reorganization of the Bureau of Land Management (BLM) and the broader Department of the Interior (DOI) reorganization of which it is a part.

We commend the committee for holding this important hearing. As we have stated in numerous letters, including in one we requested be submitted for the record for this committee's April 30th 2019 hearing on the reorganization, we are deeply concerned that the reorganization threatens the management of our national parks, the stewardship of their resources, and the employees of the National Park Service (NPS). DOI's effort has consistently lacked transparency and has been accompanied largely by insufficient documentation and vague outlines as to the purpose, scope, and timeline of the reorganization, justification for the expenses, and any cost/benefit analysis. Staff have been confused, some being given vague directives with instructions to flesh out the details, occupying much staff time. Most have been entirely in the dark. The proposal has created uncertainty among NPS and other DOI staff and has further reduced morale at a time when NPS staff are already disheartened by understaffing and underfunding, a lack of an NPS director, and government shutdowns.

On the broader reorganization, we are concerned about the assignment of Field Special Assistants, as their roles remain unclear, and there remains potential for political appointees, as well as Senior Executive Service (SES) career staff, in these roles to inappropriately overrule NPS regional directors with political priorities and decisions that run counter to conservation. There is no clear justification for these assistants, and no discernable agenda for the interagency teams they are tasked with facilitating. A major question remains as the reorganization moves forward: why? What precisely is broken to justify an effort of this magnitude, particularly given its implications for our national parks and other public lands?

We have concerns as well about the BLM move, more specifically. BLM lands have connectivity with treasured NPS landscapes, and decisions at BLM can affect the protection of resources on NPS lands. We fear that moving BLM staff west will lead to inappropriate influence from stakeholders, and that a disconnect between NPS leadership and lawmakers in DC could yield decisions that marginalize NPS' conservation mandate and the protection of the lands they manage. Moving BLM west will undermine the importance of BLM and NPS leadership sitting down together in Washington to resolve conflicts and make decisions that protect our public lands. A failure to collaborate could lead not only to decisions contrary to conservation but also litigation and congressional hearings as a result of poor decision-making. The move reduces accountability to Congress; perhaps that is part of the intent.

We fear that this move is part of an effort to reduce staffing in federal agencies. We were disheartened to hear that White House Acting Chief of Staff Mick Mulvaney recently commented that a benefit of moving federal agencies out of Washington, DC is that it causes federal employees to quit their jobs. Given these comments and OMB's effort under the management of Mr. Mulvaney to reduce the size of the federal workforce, we are concerned this BLM move is not about fixing a poorly defined problem but is instead intended to reduce BLM's capacity. The new structure threatens to bypass NPS and BLM regional directors and threatens land management decisions that are not informed by science and are made by staff who lack necessary expertise and backgrounds in resource management.

The BLM move and broader reorganization are a distraction for staff. They are an irresponsible use of taxpayer funds for poorly justified reasons with insufficient research and documentation, threatening the integrity of our national parks and other public lands and the agencies that steward them. As stated before, NPCA's view is that absent any clear, justifiable demonstration of the reasons for the reorganization, benchmarks, a timeline and realistic roadmap, and assurances that the effort would ultimately benefit our public lands, the Americans who own them, and the federal employees who steward them, we urge Congress to take appropriate and immediate measures to prevent DOI from engaging in this risky and dangerous effort.

Sincerely,

JOHN GARDER,
Senior Director, Budget and Appropriations

[LIST OF DOCUMENTS SUBMITTED FOR THE RECORD RETAINED IN THE
COMMITTEE'S OFFICIAL FILES]

Malone, Annie, Letter for the record in opposition of the BLM reorganization and the agency's treatment of wild horses, dated September 16, 2019.

Submission for the Record by Rep. Bishop

- Letter from Tara Sweeney, Assistant Secretary of Indian Affairs, on tribal consultation, dated September 5, 2019.

Submission for the Record by Rep. Tonko

- PowerPoint presentation entitled "BLM Relocation Visuals."

Submissions for the Record by Rep. Lamborn

- Letter from Senator Cory Gardner, Representatives Tipton, Lamborn, and Buck to Chairman Grijalva and Ranking Member Bishop in support of the BLM relocation, dated September 9, 2019.
- Letter from the Associated Governments of Northwest Colorado in support of the BLM reorganization, dated September 9, 2019.

Submissions for the Record by Rep. Tipton

- Letter from the Associated Governments of Northwest Colorado in support of the BLM reorganization, dated September 9, 2019.
- Letter from Tim Foster, President of the Colorado Mesa University, in support of the BLM relocation to Grand Junction, Colorado, dated September 9, 2019.

