

Congress of the United States

Washington, DC 20515

May 18, 2015

The Honorable Neil Kornze
Director
U.S. Bureau of Land Management
1849 C Street NW, Room 5665
Washington, DC 20240

Dear Mr. Kornze:

According to media reports, you are considering merging the New Mexico and Arizona Bureau of Land Management (BLM) state offices in an attempt to boost efficiencies and reduce operating costs.¹ We are concerned, however, that the net benefits of closing the New Mexico state office and merging it with the neighboring Arizona office do not outweigh the costs of such an action. As you know, each state has a unique cultural, political, tribal, social, and economic identity, and BLM's management responsibilities vary substantially among the states. Merging these offices under one regional director would significantly reduce BLM's ability "to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations."² As such, we urge the BLM to suspend this action until it has more seriously studied the ramifications of the merger, analyzed the impacts of previous office mergers by the BLM and other federal agencies, and engaged with state and local governments and other impacted stakeholders.

The Arizona and New Mexico BLM offices face uniquely different management challenges that may be exacerbated by a merger. New Mexico is a significant revenue source for the federal and state government, with over \$1.2 billion in royalty payments in FY2014.³ While Arizona's royalty revenue was only \$67 million in FY2014, the management of BLM lands within that state bears directly on Arizona's specific recreational, agricultural, and mining economies.⁴

Such a merger may also create difficulties in dealing with elected state officials. Coordination with these officials is critical in addressing public land issues and is essential to carrying out the BLM's mission. BLM state directors wield a tremendous amount of decision-making authority, regulating the public's access to hundreds of millions of acres of federal land in the West. It is therefore imperative that BLM state directors maintain a continuous presence in states they oversee.

¹ Phil Taylor, *BLM weighing merger of Ariz., N.M. offices--sources*, E&E News (Mar. 13, 2015).

² U.S. Dept. of Interior, Bureau of Land Management: Who We Are What We Do, available at: http://www.blm.gov/wo/st/en/info/About_BLM.print.html (last visited May 6, 2015).

³ U.S. Dept. of Interior, Bureau of Land Management, Reported Revenues All Land Categories in New Mexico for FY2014, available at <http://statistics.onrr.gov/ReportTool.aspx> (last visited May 6, 2015).

⁴ U.S. Dept. of Interior, Bureau of Land Management, Reported Revenues All Land Categories in Arizona for FY2014, available at <http://statistics.onrr.gov/ReportTool.aspx> (last visited May 6, 2015).

Although we support efficient government and the best possible use of taxpayer dollars, it is unclear to us how the merger of these two state offices into one larger consolidated office would lead to cost savings. We believe there are more effective ways to reduce the BLM's costs than to simply merge two diverse state offices. For example, the BLM requested a budget increase of \$11,181,000 for the National Landscape Conservation System "to support critical resource protection and maintenance work on National Conservation Lands."⁵ This request will support 20 new employees and include an additional transfer of at least \$5,009,000 from other BLM programs.⁶ As you are aware, the National Landscape Conservation System came under fire in 2008 when it was passed into law for its duplicative nature and BLM's potential Hatch Act violations for coordination with environmental groups.⁷ Reducing duplication and focusing BLM resources on specific, local projects is a better way to manage resources than creation of a vast multi-state office. For these reasons, we urge the BLM to suspend any decision to consolidate the Arizona and New Mexico state offices. Combining these state offices constitutes a major action that should be properly analyzed and vetted with state and local governments, as well as other stakeholders that will be impacted by the decision.

In order to better understand the impact of merging the New Mexico and Arizona BLM offices, and related decision-making process, please provide the following documents and information:

1. A list of all meetings or consultations with stakeholders regarding the merging of the New Mexico and Arizona BLM state offices.
2. An accounting of all cost saving benefits attributable to merging the New Mexico and Arizona BLM state offices, and the dollar amount attributed to each cost savings measure.
3. All studies or research materials used or created in the decision-making process to merge the New Mexico and Arizona BLM state offices.
4. All potential costs associated with merging the New Mexico and Arizona BLM state offices, including how the merger will impact the BLM's ability to conduct revenue-generating activities in the two states.
5. All communications between or among BLM officials referring or relating to the merger of the New Mexico and Arizona BLM state offices.
6. All documents and communications referring or relating to the merger of any other BLM state offices.

⁵ U.S. Department of the Interior, Budget Justifications and Performance Information Fiscal Year 2016, Bureau of Land Management (2015).

⁶ *Id.*

⁷ Eric Nontrager and Noelle Straub, *BLM employees, advocacy groups worked together on lands bill, docs show.*, E&E News, (Nov. 10, 2008).

Please provide the requested information as soon as possible, but no later than 5:00 p.m. on June 1, 2015. When producing documents to the Committee, please deliver production sets to the Majority staff in Room 2157 of the Rayburn House Office Building and the Minority staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional information about responding to the Committee's request.

Please contact Bill McGrath of the Committee staff at (202) 225-5074 with any questions about this request. Thank you for your prompt attention to this matter.

Sincerely,



Jason Chaffetz
Chairman
Committee on Oversight and
Government Reform



Rob Bishop
Chairman
Committee on Natural Resources



Cynthia M. Lummis
Chairman
Subcommittee on the Interior



Tom McClintock
Chairman
Subcommittee on Federal Lands



Paul Gosar
Member
Subcommittee on the Interior

Enclosure

cc: The Honorable Elijah Cummings, Ranking Minority Member

The Honorable Brenda L. Lawrence, Ranking Minority Member
Subcommittee on the Interior

The Honorable Hal Rogers, Chairman, Committee on Appropriations

The Honorable Ken Calvert, Chairman, Subcommittee on Interior, Environment and
Relation Agencies, Committee on Appropriations

Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
 - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
 - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document;

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.