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# State of Nevada Assembly

Seventy-Seventh Session

April 23, 2014

Assemblyman Paul Aizley, Chairman  
Legislative Committee on Public Lands  
Legislative Building  
401 South Carson Street  
Carson City, NV 89701-4717

Dear Assemblyman Aizley:

As you are aware, a situation raised its ugly head last week in Bunkerville, Nevada, that easily could have escalated into something where scores of people may have lost their lives. It is our belief that this incident was handled incorrectly by the Federal agencies that were placed in charge and that an abuse of authority like this must never be allowed to happen in Nevada again.

While the situation was defused before anyone got hurt, we, the undersigned Legislators, feel that the people of Nevada must have a public inquiry, specifically by the State of Nevada, to find the root causes for these actions in order to ensure that there is never a repeat of this dangerous situation.

Although we do not feel Mr. Bundy is without blame, there are many unanswered questions as to why this situation took place, including but not limited to:

1. Who ordered the armed incursion?
2. At what decision-making level was this ordered?
3. Were any elected officials involved in this?
4. Who was on the ground as far as Federal law enforcement? What was their authority and what jurisdiction did they have and who conveyed that power, especially in light of 43 U.S.C. § 1733(c)(1) which states:

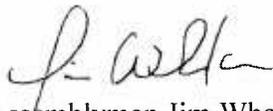
When the Secretary determines that assistance is necessary in enforcing Federal laws and regulations relating to the public lands or their resources he *shall* offer a contract to appropriate local officials having law enforcement authority within their respective jurisdictions with the view of achieving maximum feasible reliance upon local law enforcement officials in enforcing such laws and regulations. . . . (Emphasis added.)

5. What was the root reason for the incursion? If it was for unpaid fees, why would the Federal Government spend more money to collect the cattle than they would be able to recoup from the sale of such?
6. Why was a lien not placed on the proceeds from Mr. Bundy's cattle sales, or property, instead of an armed incursion?
7. If this was an attempt to conserve the desert tortoise as reported, how does one explain the fact that the tortoise and the cattle have lived in harmony for over 100 years on that particular range? Also, how does one explain the fact that the BLM has euthanized hundreds of tortoises citing a lack of funds for their care?
8. It has been reported that the BLM destroyed many guzzlers and other water systems in the area during their seizure operation in violation of state law. If this is the case, can criminal charges be filed against these offenders?
9. There have been many rumors concerning interests outside the government being involved in this dispute. These need to be thoroughly vetted in a public hearing for validity.

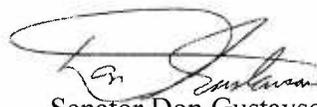
Therefore, we the undersigned Legislators are requesting that an investigation be conducted by the State of Nevada into the situation that took place between the BLM and Cliven Bundy. We not only request that this situation be investigated, but also request that the State publish a report with explanations as to actions that can be taken by the Federal Government and the State of Nevada that will ensure a situation like this never happens again.

We respectfully request this public inquiry be handled by your Committee given the powers of investigation and subpoena accorded to that Committee under Nevada statute. We also call for a simultaneous investigation to be conducted by the Attorney General's Office. A similar letter is being sent to the interim Legislative Committee on Public Lands, Chairman Paul Aizley.

Sincerely,



Assemblyman Jim Wheeler



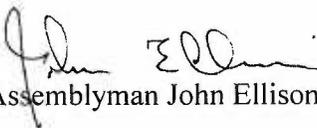
Senator Don Gustavson



Assemblyman Ira Hansen



Assemblywoman Michele Fiore



Assemblyman John Ellison

cc: The Honorable Brian Sandoval  
Assemblywoman Marilyn Kirkpatrick  
Assemblyman William Horne  
Assemblyman Pat Hickey  
Senator Mo Denis  
Senator Michael Roberson