



# United States Department of the Interior

OFFICE OF INSPECTOR GENERAL

Washington, DC 20240

FEB 10 2005

Mr. Jeff Ruch  
Executive Director  
Public Employees for Environmental Responsibility  
2001 S Street, N.W., Suite 570  
Washington, D.C. 20009

Dear Mr. Ruch:

This is in response to your letter of August 28, 2003 in which you requested that the Office of Inspector General (OIG) conduct an investigation into irregularities in rangeland regulatory enforcement by the Bureau of Land Management (BLM) Wyoming State Office and Washington Office Headquarters.

The Office of Inspector General had already initiated an investigation in early August of 2003 into the facts and circumstances surrounding the settlement between BLM and Harvey Frank Robbins. Upon receipt of your letter, we expanded our investigation to address the issues you raised. Our investigation is now complete.

In summary, our investigation found that in the negotiation and crafting of the settlement agreement, normal processes were circumvented; negotiations were conducted by the Office of Solicitor (SOL) without involving BLM in the process; concerns articulated by the Department of Justice and the BLM field office were ignored by the SOL and were not communicated to the BLM decision-maker; and the interests of the BLM and those of individual BLM employees were not adequately protected by the terms of the settlement agreement.

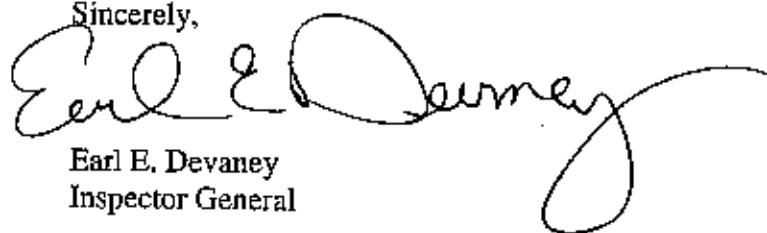
Our investigation did not find that specific policy decisions were made by BLM officials relative to the terms of the settlement agreement or enforcement of violations alleged to have occurred during the course of negotiation of the agreement. Rather, we found a large measure of inattention and passive acquiescence by senior BLM officials, an inappropriate level of programmatic involvement by the SOL, and a profound lack of transparency in the overall negotiation and agreement process.

Ultimately, the settlement agreement failed. On January 30, 2004, BLM voided the settlement agreement with Robbins based on his failure to comply with the terms of the agreement. Thus, our concerns about the terms of the settlement agreement itself are no longer at issue. We remain concerned, however, about the manner in which the settlement agreement was conceived, negotiated and crafted.

We have communicated these concerns to the appropriate officials in the Department, and expect corrective action to be taken by the Department to ensure that such a failure of process does not repeat itself.

Thank you for bringing your concerns to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl E. Devaney". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Earl E. Devaney  
Inspector General