

OPB FM  Now Playing: The Takeaway



[Local \(/news/topic/local/\)](/news/topic/local/)

[Nation \(/news/topic/nation/\)](/news/topic/nation/)

[World \(/news/topic/world/\)](/news/topic/world/)

[Economy \(/news/topic/economy/\)](/news/topic/economy/)

[Environment \(/news/topic/environment/\)](/news/topic/environment/)

[Politics \(/news/topic/politics/\)](/news/topic/politics/)

[Health \(/news/topic/health/\)](/news/topic/health/)

[Education \(/news/topic/education/\)](/news/topic/education/)

[News \(/News/Topic/News/\)](/News/Topic/News/) | [Local \(/News/Topic/Local/\)](/News/Topic/Local/) | [Land \(/News/Topic/Land/\)](/News/Topic/Land/) | [Land Use \(/News/Topic/Land-Use/\)](/News/Topic/Land-Use/) | [Politics \(/News/Topic/Politics/\)](/News/Topic/Politics/) | [Nation \(/News/Topic/Nation/\)](/News/Topic/Nation/) | [An Armed Occupation In Eastern Oregon \(/News/Series/Burns-Oregon-Standoff-Bundy-Militia-News-Updates/\)](/News/Series/Burns-Oregon-Standoff-Bundy-Militia-News-Updates/)

How Refuge Occupation Could Fuel Land Privatization Movement

by **John Sepulvado** (/contributor/john-sepulvado/) OPB | Jan. 12, 2016 8:52 a.m. | Updated: Jan. 12, 2016 1:46 p.m.



Rancher Jerry Miller, 79, prepares to feed his cattle on his ranch Saturday, Jan. 9, 2016, in Crane, Oregon. The occupation of the Malheur National Wildlife Refuge has drawn attention to controversial land use laws.

Rick Bowmer/AP

THANKS TO OUR SPONSORS:

[become a sponsor \(/su](#)

ARTISTS REPERTORY TH

MOTHERS AND SONS

Terrence M. directed by Jane Unge

FEB 9 - 11

WORLD'S COMPASSION

CALL OR FOR TIC

RONNI LACROUTE WILLAKENZIE ESTATE

Related Content

At one meeting they talked loudly about the present. At another, they talked softly about the future.

It's the latter meeting that will likely resonate longer.

Last Wednesday night, Jan. 6, as hundreds of people met at the fairgrounds

(<http://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/harney-county-residents-speak-out-on-occupation/>) to express concerns about the armed occupation at the Malheur National Wildlife Refuge, another meeting was taking place at the Harney County Chamber of Commerce.

Fifty-two people — most of them ranchers — sat on uncomfortable plastic folding chairs in rapt attention for two hours to hear the presentation of Cliff Gardner, a 77 year-old, soft-spoken rancher from Nevada's Ruby Valley. Gardner was dressed in faded blue jeans, brown ranch boots and a green, buttoned oxford shirt.

Gardner spoke about the importance of transferring federal lands to states and counties. His talk wandered like a tumbleweed in the high desert wind. He began covering land policy, then law, science, historical hunting records, common law, the appellate court system, states' rights, checks and balances, before finally coming to a plea to mobilize anti-federal disdain into a formal campaign.

“Like the (Civil Rights) movement of those black people



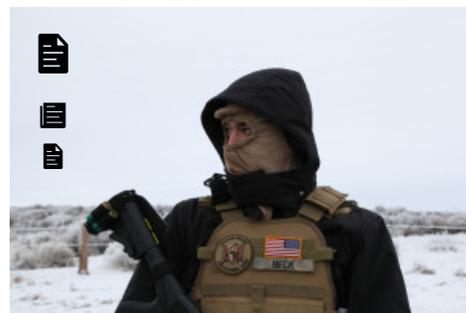
(</news/series/burns-oregon-standoff-bundy-militia-news-updates/>)

An Armed Occupation In Eastern Oregon (</news/series/burns-oregon-standoff-bundy-militia-news-updates/>)



(</news/series/burns-oregon-standoff-bundy-militia-news-updates/explainer-the-bundy-militias-particular-brand-of-mormonism/>)

Explainer: The Bundy Militia's Particular Brand Of Mormonism (</news/series/burns-oregon-standoff-bundy-militia-news-updates/explainer-the-bundy-militias-particular-brand-of-mormonism/>)



in the southern United States, we’re going to have to make a movement of civil disobedience,” Gardner said.

The ranchers at the meeting nodded in agreement. A hand went up, and Gardner answered the question about how to make it happen.

“We have to educate, educate, educate,” Gardner said.

The ranchers nodded again.

Gardner compared the American West to the original 13 colonies.

“That was the problem they were facing, that they had no authority to codify into law practices that were important to their life,” Gardner said. “And when laws were passed by England, they were adverse to the local community, in that they caused more resource problems than they solved.”

Gardner’s sentiment — that the U.S. federal government is causing more problems than it solves — is popular throughout the West. It’s also a very old idea and previous attempts to

(/news/series/burns-oregon-standoff-bundy-militia-news-updates/theres-another-armed-group-in-burns-and-theyre-not-the-bundys/)

There's Another Armed Group In Burns And It's Not The Bundys (/news/series/burns-oregon-standoff-bundy-militia-news-updates/theres-another-armed-group-in-burns-and-theyre-not-the-bundys/)

RELATED COVERAGE



(/news/series/burns-oregon-standoff-bundy-militia-news-updates/federal-grazing-fees/)

Controversial Federal Grazing Fees Not A Great Deal For Anyone

THANKS TO OUR SPONSORS



become a sponsor (/support/partners/)

transfer land to the states, or local communities have often failed

(/news/series/burns-oregon-standoff-bundy-militia-news-updates/federal-grazing-fees/)

(<http://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/data-gap-on-ecosystem-health-puts-ranchers-feds-at-odds/>).

But a new effort to wrestle the lands back is gaining steam in western states, particularly among Republican state lawmakers.

If the U.S. government ceded its lands to states or counties, it could potentially have a massive effect on the 52 percent of Oregon owned by the federal government.

Federal Lands As A Potential Cash Cow

Shortly after Cliven Bundy's militia took up arms against the federal government in 2014, a group of conservatives from nine Western states met in Salt Lake City.

This group, like Bundy's self-described militia, demanded that federal lands be returned to states, so locals could decide how areas are mined, ranched or farmed.

Like Bundy's supporters on the ground, some of these

conservative lawmakers had deep ties to so-called militia groups, like the Oath Keepers

(<http://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/theres-another-armed-group-in-burns-and-theyre-not-the-bundys/>).

Other groups advocated that local sheriffs should ignore certain federal laws they find objectionable.

Yet, the lawmakers don't describe themselves as a militia group. These were state legislators who share much of the same worldview as those on the Bundy Ranch. They make the same historical and legal arguments as the Bundys, but they also made one more point the Bundys don't: The belief money is ready to flow like water in a wash during a desert monsoon.



Utah state Rep. Ken Ivory, in 2015. The Republican has fought for the transfer of federal land back to the states.

Rick Bowmer

“There’s more than \$150 trillion dollars in minerals locked up in the Western states,” Utah Republican state Rep. Ken Ivory told KNPR in Las Vegas

(<http://knpr.org/knpr/2014-04/should-states-takeover-federal-lands>), during the Bundy standoff. “There’s more

recoverable oil than the rest of the world combined locked up in federally controlled lands ... it's the only solution to fund education, better care for the environment, and grow the economy locally and nationally.”

Ivory headed the meeting of Western state lawmakers, and he's become the political leader of the movement.

Ivory is the President of the American Lands Council, an organization that advocates for the transfer of federal lands to the states. The ALC is funded through individual donations; membership dues paid by counties (and, by extension, taxpayers); and the Charles and David Koch funded advocacy group, Americans for Prosperity (<http://www.latimes.com/nation/la-na-ff-land-battle-20150510-story.html>).

The ALC is a staunch proponent of turning federal lands over to the states. The states would then have the option to lease, rent or even sell the lands to private industries.

Under Ivory's stewardship, the Utah state government made the transfer demand law. Despite passing the law, the federal government has yet to cede any land back to the Beehive State.

In Oregon, the charge to transfer federal lands to the state is being led by Rep. Carl Wilson, R-Grants Pass.

Last session, Wilson introduced a bill that would study

the effects of a land transfer

(<https://trackbill.com/bill/or-hb3240-establishes-task-force-on-the-transfer-of-federal-land-ownership-in-oregon/1141877/>), including “the potential for the costs of a federal land transfer to require the state to sell transferred lands into private ownership,” as well as “an analysis of the potential timber revenue and mineral leasing revenue from the transferred lands.”

Wilson — who is an ally of Ivory and the American Lands Council — did not return numerous requests for comment. However, in the 2015 bill he sponsored, Wilson clearly makes an economic argument that a federal land transfer should be studied.

“Whereas as a direct result of nonmanagement of federal lands, unemployment rates in federal-land-dominated counties have consistently been the highest in this state, including unemployment rates of 11.6 percent in Harney County,” the bill states.

In April 2015, the Oregon House Committee on Rural Communities, Land Use, and Water heard testimony on Wilson’s bill



State Rep. Carl Wilson, R-Grants Pass, has advocated for land transfer legislation in Oregon.

Casey Minter

(http://oregon.granicus.com/MediaPlayer.php?view_id=24&clip_id=9014). The Grants Pass Republican pinned the economic woes in Josephine County on federal ownership of land in his home county.

“Sixty-eight percent of our land is owned by the federal government,” Wilson told the committee. “We’re land poor. We have a small tax base. Wouldn’t it be a beautiful situation if Oregonians were in charge? We would find our situation would begin to improve.”

A spokesman for the Association of Counties told the house committee the group supported the bill and cited ALC research.

Still, conservationists and environmentalists see a transfer not as a cash cow, but as a money pit.

“How will the state have the money to manage those lands?” asked Rhett Lawrence, conservation director of the Sierra Club’s Oregon chapter, before citing a study on the same law sponsored in Idaho. “The cost of managing the lands in Idaho is going to exceed the potential revenue they get off it.”

Wilson’s bill stalled in the Democratic-controlled committee.

A Path Towards Privatization?

The Federal Government owns some 630 million acres in 11 Western states.

The question of who will pay to maintain transferred lands is one of the big unknowns in this debate. And it's an unknown that would undoubtedly shape how the West looks, functions and grows.

Environmentalists say privatization would almost certainly be employed to manage transferred lands.



Ryan Bundy told OPB that he and the other armed men occupying the Malheur National Wildlife Refuge headquarters will leave if Harney County residents want them to. The self-proclaimed militiamen have been occupying the buildings since Saturday, Jan. 2.

Amanda Peacher/OPB

It's a point even some of the militants occupying the refuge can agree with. Co-leader of the occupation, Ryan Bundy, told OPB recently that he doesn't want to see the lands of the Malheur National Wildlife

Refuge privatized.

The ALC has repeatedly issued statements (<http://www.americanlandscouncil.org/california>) saying the transfer of federal land does not automatically mean privatization, but it's clear the group is not

opposed to it, either.

Utah Rep. Ken Ivory tells OPB what happens to the land will be determined on a state-by-state basis.

“In Oregon, there’s more than 150 years-plus of being a public lands state,” Ivory said. “Federal public lands become states’ and private lands. Privatizing would add insult to injury.”

But even Cliff Gardner, the conservative rancher who spoke in Harney County about land transfer, said much of the land would no longer be public.

“Eventually, these lands will be run by private companies,” Gardner said. “That privatization will happen, but that’s not the important part.”

Other supporters of Cliven Bundy and his family agree with Gardner. One of the militants who helped lead the 2014 standoff against the Bureau of Land Management in Nevada, Jerry DeLumas, said privatization would be better for maintaining and utilizing the land.

DeLumas, who is also a campaign official for Donald Trump’s Presidential campaign (<https://www.donaldjtrump.com/press-releases/donald-j.-trump-announces-the-formation-of-veterans-for-trump-coalition-in>), says Americans have become accustomed to ceding power to the federal government.

“I am OK with privatization,” DeLumas told OPB. “That’s what this country is built on ... I think privatization would best benefit this land.”

Concerned that a privatization message is picking up steam, conservation groups have dispatched public relations teams to Burns in an effort to counter that message. That includes Barrett Kaiser, a spokesman for the left-leaning conservation group, the Center for Western Priorities.

Kaiser said privatization is “the dirty little secret of the land seizure movement.”

“What do you mean privatize them?” Kaiser asked. “How does that work? You going to hire sub-contractors and contractors to do what, manage the lands? No, they’re going to sell them off.”

Kaiser said land transfer advocates see their cause as a panacea that would generate massive revenue. If that were the case, Kaiser said, the federal government would have already looked for ways to generate that revenue.

“They have no idea what to do with these lands once the states take them under their control,”

RELATED COVERAGE



(/news/article/whos-in-the-mix-to-buy-oregons-elliott-state-forest/)

Kaiser said.

Kaiser’s point is seen in the Elliott State Forest near Coos Bay, Oregon, which has proven costly for the state to manage. Last year, the state land board approved selling the 84,000-acre forest

Who's In The Mix To Buy Oregon's Elliott State Forest? (/news/article/whos-in-the-mix-to-buy-oregons-elliott-state-forest/)

(<http://www.opb.org/news/article/oregon-elliott-state-forest-for-sale/>) to private land owners.

“The federal government isn’t perfect, no, but this land-seizure movement we’re seeing permeate in state legislatures across the West is absolutely crazy-town,” Kaiser said. “There’s just no way to make it work without selling these lands off, restricting access for Americans.

“It just doesn’t make any sense,” he said.

More From An Armed Occupation In Eastern Oregon
(/news/series/burns-oregon-standoff-bundy-militia-news-updates/)

 (/news/series/burns-oregon-standoff-bundy-militia-news-updates/npr-adjacent-neighbors-arent-bothered-by-malheur-occupiers/)

Adjacent Neighbors Aren't Bothered By Malheur Occupiers (/news/series/burns-oregon-standoff-bundy-militia-news-updates/npr-adjacent-neighbors-arent-bothered-by-malheur-occupiers/)

(/news/series/burns-oregon-standoff-bundy-militia-news-updates/burns-community-seeks-unity-asking-armed-occupiers-leave-bundy-militia/)

Burns Community Seeks Unity, Asking Armed Occupiers To Leave (/news/series/burns-oregon-standoff-bundy-militia-news-updates/burns-community-seeks-unity-asking-armed-occupiers-leave-bundy-militia/)

More News



(/news/series/burns-oregon-standoff-bundy-militia-news-updates/cliven-bundy-arrested-ammon-ryan-portland/)

Hoping To Help Free Sons, Cliven Bundy Joins Them In Jail

(/news/series/burns-oregon-standoff-bundy-militia-news-updates/cliven-bundy-arrested-ammon-ryan-portland/)



(/news/series/burns-oregon-standoff-bundy-militia-news-updates/cliven-bundy-arrested-malheur-surrender-end-occupation/)

Live Updates: Possible End To Oregon Standoff In Sight (/news/series/burns-oregon-standoff-bundy-militia-news-updates/cliven-bundy-arrested-malheur-surrender-end-occupation/)



(/news/series/burns-oregon-standoff-bundy-militia-news-updates/malheur-oregon-occupation-surrender-fbi-thursday/)

Occupiers Say They Will Surrender To FBI Thursday (/news/series/burns-oregon-standoff-bundy-militia-news-updates/malheur-oregon-occupation-surrender-fbi-thursday/)



(/news/series/burns-oregon-standoff-bundy-militia-news-updates/live-updates-reports-of-oregon-standoff-



[\(/opbmusic/series/sessions/futurebirds-bring-their-hotel-party-to-opb/\)](#)

Futurebirds Bring Their Hotel Party To OPB

[\(/opbmusic/series/sessions/futurebirds-bring-their-hotel-party-to-opb/\)](#)

About (/about/)

[FAQs \(/about/faq/member/\)](#)

[Employment \(/about/careers/\)](#)

[Volunteering \(/about/volunteering/\)](#)

[Internships \(/about/internships/\)](#)

[Producing for OPB \(/about/produce/\)](#)

[Accessibility \(/about/accessibility/\)](#)

[Hire OPB \(/about/services/\)](#)

[Pressroom \(/pressroom/\)](#)

[OPB Public Files \(/about/#moreinfo\)](#)

Contact (/about/contactus/)

[Email OPB \(/about/contactus/\)](#)

[Newsroom \(/about/contactus/newsroom/\)](#)

[Connect \(/about/connect/\)](#)

Facebook (http://www.facebook.com/oregonpublicbroadcasting?_fb_noscript=1)

Twitter (<http://twitter.com/opb>)

Reception Issues (</about/contactus/reception/>)

Mobile (</about/connect/apps/>)

Podcasts (</ondemand/#podcasts>)

Mobile Apps (</about/connect/apps/>)

Newsletters (</about/newsletter/>)

RSS Feeds (</about/rssfeeds/>)

Support (</support/>)

Contribute (<https://secure.opb.org/support/contribute/>)

Business Partners (</support/partners/>)

Leadership Giving (</support/membership/leadership/>)

Planned Giving (</support/plannedgiving/>)

Vehicle Donations (</support/vehicledonation/>)

Volunteering (</about/volunteering/>)

Shop (<http://www.pntrac.com/t/2-26430-54246-51107>)

Shop (<http://www.pntrac.com/t/2-26430-54246-51107>)

Legal (</about/termsfuse/>)

Privacy Policy (</about/privacypolicy/>)

Terms of Use (</about/termsfuse/>)

Editorial Policy (</about/editorialpolicy/>)

Contest Rules (</support/drawing/>)

FCC Public Files (<https://stations.fcc.gov/station-profile/kopb-tv>)

KOPB-TV (<https://stations.fcc.gov/station-profile/kopb-tv>)

KOAB-TV (<https://stations.fcc.gov/station-profile/koab-tv>)

KOAC-TV (<https://stations.fcc.gov/station-profile/koac-tv>)

KEPB-TV (<https://stations.fcc.gov/station-profile/kepb-tv>)

KTVR (<https://stations.fcc.gov/station-profile/ktvr>)

Search OPB



 (<http://www.pbs.org/?station=KOPB>)  (http://www.npr.org/stations/force/force_localization.php?station=KOPB_FM&url=http://www.npr.org/)  (<http://www.pri.org/>)  (<http://www.bbc.co.uk/worldservice>)
 (<http://americanpublicmedia.publicradio.org/>)

© 2016, Oregon Public Broadcasting (/)