

## BLM LE History Part 5.1

As early as 1968, California State Director Jay Russell Petty proposed that a ranger force be established on the California Desert to supervise and control the desert's fast-growing recreational uses. About 95% of the desert is within 3 miles of a road, and more than 13 million potential visitors live within 100 miles of the desert. In 1972, President Nixon issued Executive Order 11644 directing federal land management agencies to manage motorized vehicle use and to designate lands as open, closed, or limited and to provide for resource protection and public safety. In adherence to Executive Order 11644, BLM hired its first desert ranger in the Riverside District in June 1972. During the next year, Riverside District Manager Dell Veil hired 6 additional rangers, and in 1974, 21 more. These butterscotch rangers, as they affectionately became known due to the color of the uniforms they wore, received peace officer training from the Riverside County Sheriff's Office, but because rangers didn't have law enforcement authorities, their duties were originally to oversee off-road vehicle use and report any violations of the law to state or local law enforcement officials. Rangers also gathered data on wildlife populations and habitats, archeological sites and other resources, and provided interpretative information to the public. BLM's first authority for law enforcement was provided by the Wild and Free-Roaming Horse and Burro Act of 1971. The bureau hired its first special agents under the act in 1974 after being denied assistance by the FBI to investigate wild horse and burro crimes. BLM's first special agents were assigned to Washington D.C. and the Utah state office. The 1970 public land law review commission report noted the BLM floundered under contradictory federal laws and lacked the means to

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enforce its management decisions. Legislation addressing this situation was introduced into the 92nd, 93rd, and 94th sessions of congress. A contentious issue that faced congress as they debated the future management of the public lands was whether or not to provide the BLM with law enforcement authority. Many in congress were fearful of turning every BLM employee into a cop. Others felt BLM would continue to ineffectively manage the public lands without the means to enforce its management objectives. Congresswoman Perez provided the following testimony on the subject: "It is sad to say, but despite its jurisdiction over and responsibility for millions of acres of land, the BLM has no capability to be more than a custodial agency. This is especially true in the California Desert. Without police powers, BLM officials are unable to take action to protect the land and the uses of the land." Congressman Seiberling agreed. BLM currently has only seven special agents hired in the past year. They can make arrests for crimes against wild horses but not for crimes against natural resources or people. They are authorized to investigate violations of natural resource laws such as land fraud, theft of timber and minerals, but once their investigation is complete they have to call in another federal agency to make the arrest, or if there is an applicable state law they can try to persuade the state and local officials to make the arrest, but many states do not have specific laws protecting the diverse resources of the public lands, and enforcement of state laws is uneven because of the variation in laws throughout the west. In a last-minute rush before adjournment, the 94th congress reached a compromise. On October 21, 1976, President Nixon signed Public Law 94-579, the Federal Land Policy and

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Management Act of 1976, commonly known as FLPMA, into law. FLPMA provided BLM with a mission and formally recognized what BLM had been doing on an interim basis for many years, managing the public lands under the principles of multiple use and sustained yield. FLPMA also granted new authorities and responsibilities, amended or repealed previous legislation, prescribed specific management techniques, and established the California Desert Conservation Area.