

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

December 2, 2022

The Honorable Deb Haaland  
Secretary  
U.S. Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240

Dear Secretary Haaland:

On May 11, 2022, the House Committee on Natural Resources (Committee) presented evidence of likely bribery involving former U.S. Department of the Interior (DOI) Secretary David Bernhardt and Villages at Vigneto developer Mike Ingram, in the Committee's first-ever criminal referral to the U.S. Department of Justice (DOJ).<sup>1</sup> The Committee has now uncovered another potential incident of bribery involving Ingram and senior Trump administration officials through its review of documents obtained in that investigation.

In 2012, ranchers Dwight and Steven Hammond were convicted of arson on federal lands managed by the U.S. Bureau of Land Management (BLM).<sup>2</sup> According to DOJ, the Hammonds informed BLM that a fire they had started on Hammond's private property to burn off invasive species had inadvertently spread to public lands. However, witnesses, including a relative, later came forward and testified that Steven Hammond had instructed companions to drop lit matches on the ground, with the effect of destroying evidence that a Hammond hunting party had illegally slaughtered deer on the BLM lands. By law, arson on federal lands carries a five-year mandatory minimum sentence.<sup>3</sup> The district court in the Hammonds' case ordered sentences far below this requirement, citing Eighth Amendment concerns, but a panel of the United States Court of Appeals for the Ninth Circuit vacated the illegal sentences and ordered the district court to resentence the Hammonds in compliance with the law.<sup>4</sup> The U.S. Supreme Court denied *cert*,<sup>5</sup> and on October 7, 2015, the district court imposed five-year prison terms on each of the Hammonds, with

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<sup>1</sup> House Natural Resources Committee. (2022, May 11) Chair Grijalva, Rep. Porter Refer Former Interior Secretary Bernhardt, Villages at Vigneto Developer to Justice Department, Alleging Criminal Bribery [Press release] <https://naturalresources.house.gov/media/press-releases/chair-grijalva-rep-porter-refer-former-interior-secretary-bernhardt-villages-at-vigneto-developer-to-justice-department-alleging-criminal-bribery>

<sup>2</sup> Department of Justice. (2015, October 7). *Eastern Oregon Ranchers Convicted of Arson Resentenced to Five Years in Prison* [Press Release]. <https://www.justice.gov/usao-or/pr/eastern-oregon-ranchers-convicted-arson-resentenced-five-years-prison>

<sup>3</sup> United States Code, 2006 Edition, Supplement 5, Title 18 - CRIMES AND CRIMINAL PROCEDURE 18 U.S.C. § 844(f)(1)

<sup>4</sup> *United States v. Hammond*, 742 F.3d 880 (9th Cir. 2014).

<sup>5</sup> 135 S.Ct. 1545 (2015).

credit for time already served.<sup>6</sup> On July 10, 2018, President Trump signed Executive Grants of Clemency (Full Pardons) for both Hammonds.<sup>7</sup>

Documents obtained in the Committee’s Vigneto investigation indicate that Mike Ingram used his unique access to high-ranking Trump administration officials to advocate for these pardons. In an email dated May 25, 2018, Mr. Ingram’s executive assistant sent Ben Cassidy, DOI’s Senior Deputy Director for External and Intergovernmental Affairs, two articles on the topic, including an op-ed arguing for pardons for the Hammonds (see Attachment 1).<sup>8</sup>

On Sunday, July 1, 2018, a vocal proponent for pardoning the Hammonds shared in a tweet that “President Trump called me to say he is ‘seriously considering’ pardoning Dwight and Steven Hammond.”<sup>9</sup> This was the first public acknowledgement that a pardon was under consideration.<sup>10</sup>

On Monday, July 2, 2018, the next business day, the Federal Election Commission database shows that Mr. Ingram made a \$10,000 out-of-cycle donation to the America First Action, Inc. Super PAC.<sup>11</sup> The America First Action, Inc. Super PAC describes itself as “dedicated to supporting President Trump | We are the only Official Pro-Trump Super PAC.”<sup>12</sup> On Tuesday, July 10, 2018, President Trump signed Executive Grants of Clemency (Full Pardons) for both Hammonds.<sup>13</sup>

Mr. Ingram made only one other \$10,000 donation during the 2017–2018 non-presidential election cycle.<sup>14</sup> That donation was the subject of the Committee’s criminal referral regarding the Villages at Vigneto development. In that case, Ingram and 12 other individuals, many of whom maintained personal or professional relationships with Ingram, donated nearly a quarter of a million dollars to the Trump Victory Fund and the Republican National Committee on the same day or within just a few days that a major federal action regarding Vigneto was made in Ingram’s favor. All other donations from Ingram during this election cycle were \$5,400 or less.

House Rule X(1)(m) provides the Committee with jurisdiction over the subject matters within DOI’s authority. The parallels between the Vigneto case and the Hammonds’ pardons raise significant concerns about another potential case of bribery under the Trump administration and warrant further investigation.

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<sup>6</sup> Department of Justice. (2015, October 7). *Eastern Oregon Ranchers Convicted of Arson Resentenced to Five Years in Prison* [Press Release]. <https://www.justice.gov/usao-or/pr/eastern-oregon-ranchers-convicted-arson-resentenced-five-years-prison>

<sup>7</sup> “Statement from the Press Secretary Regarding Executive Clemency for Dwight and Steven Hammond” Trump White House Archives. July 10, 2018. <https://trumpwhitehouse.archives.gov/briefings-statements/statement-press-secretary-regarding-executive-clemency-dwight-steven-hammond/>

<sup>8</sup> Attachment 1 is also included as Attachment 59 in the Committee’s referral to the Department of Justice regarding the Villages at Vigneto incident, available here: <https://naturalresources.house.gov/media/press-releases/chair-grijalva-rep-porter-refer-former-interior-secretary-bernhardt-villages-at-vigneto-developer-to-justice-department-alleging-criminal-bribery>

<sup>9</sup> Walden, G. [repgregwalden]. (2018, July 1) Late Saturday afternoon, President Trump called me to say he is ‘seriously considering’ pardoning Dwight and Steven Hammond. [Tweet]. Retrieved from <https://twitter.com/repgregwalden/status/1013455435502964738>.

<sup>10</sup> The Congressional Research Service (CRS) completed a search on November 9, 2022 for news reports that indicated the White House was seriously considering a pardon for the Hammonds before July 2, 2018. They found none.

<sup>11</sup> United States. (2018) U.S. Federal Election Commission FEC. [https://www.fec.gov/data/receipts/individual-contributions/?contributor\\_name=Ingram%2C+Michael&contributor\\_name=Mike+ingram&two\\_year\\_transaction\\_period=2018](https://www.fec.gov/data/receipts/individual-contributions/?contributor_name=Ingram%2C+Michael&contributor_name=Mike+ingram&two_year_transaction_period=2018)

<sup>12</sup> America First [AmericaFirstPAC]. (n.d.). *Tweets* [Twitter profile]. Twitter. Retrieved November 15, 2022, from <https://twitter.com/AmericaFirstPAC>

<sup>13</sup> “Statement from the Press Secretary Regarding Executive Clemency for Dwight and Steven Hammond” Trump White House Archives. July 10, 2018. <https://trumpwhitehouse.archives.gov/briefings-statements/statement-press-secretary-regarding-executive-clemency-dwight-steven-hammond/>

<sup>14</sup> United States. (2018) U.S. Federal Election Commission FEC. [https://www.fec.gov/data/receipts/individual-contributions/?contributor\\_name=Ingram%2C+Michael&contributor\\_name=Mike+ingram&two\\_year\\_transaction\\_period=2018](https://www.fec.gov/data/receipts/individual-contributions/?contributor_name=Ingram%2C+Michael&contributor_name=Mike+ingram&two_year_transaction_period=2018)

To assist the Committee's investigation of this issue, please provide the following documents and information as soon as possible, but no later than December 15, 2022:

1. All documents and communications relating to Dwight or Steven Hammond between all presidential appointees requiring the advice and consent of the Senate (PAS), presidential appointees not requiring appointments (PA), noncareer Senior Executive Service (SES), or Schedule C appointees at DOI or the Bureau of Land Management for any part of 2017 or 2018 and
  - a. Mike Ingram or Michael Ingram;
  - b. Any representative of El Dorado Holdings, including but not limited to [REDACTED], Michael (Mike) Reinbold, Jim Kenny, Dennis Krahn, Eric Hollensbe, Deb Bricker, Chris Grogan, Linda Cheney, and June Prinz.
  - c. Any person representing the America First Action Inc. and America First Policies, Inc. PACs, including but not limited to:
    - i. Brian O Walsh;
    - ii. Thomas O Hicks, Jr.;
    - iii. Roy W Bailey;
    - iv. Harold Hamm;
    - v. Jonathan T Proch;
    - vi. Joseph Ahearn;
    - vii. Erin Montgomery;
    - viii. Sean Spicer;
  - d. Any White House Office personnel;
  - e. Dwight Hammond;
  - f. Steven Hammond;
  - g. Anyone from Lawrence Matasar PC;
  - h. Anyone from Ransom & Blackman LLP; and
2. All documents relating to a pardon for Dwight or Steven Hammond.

Please contact the Oversight and Investigations Subcommittee staff at (202) 225-6065 with any questions about this request. Thank you for your attention to this matter.

Sincerely,



Raúl M. Grijalva  
Chair  
Committee on Natural Resources



Katie Porter  
Chair  
Subcommittee on Oversight and  
Investigations  
Committee on Natural Resources

cc: The Honorable Bruce Westerman, Ranking Member, House Natural Resources Committee

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, May 25, 2018 8:35 AM  
**To:** Cassidy, Benjamin  
**Subject:** Articles Mike told you about  
**Attachments:** SKM\_C36818052508460.pdf

Thank you !!

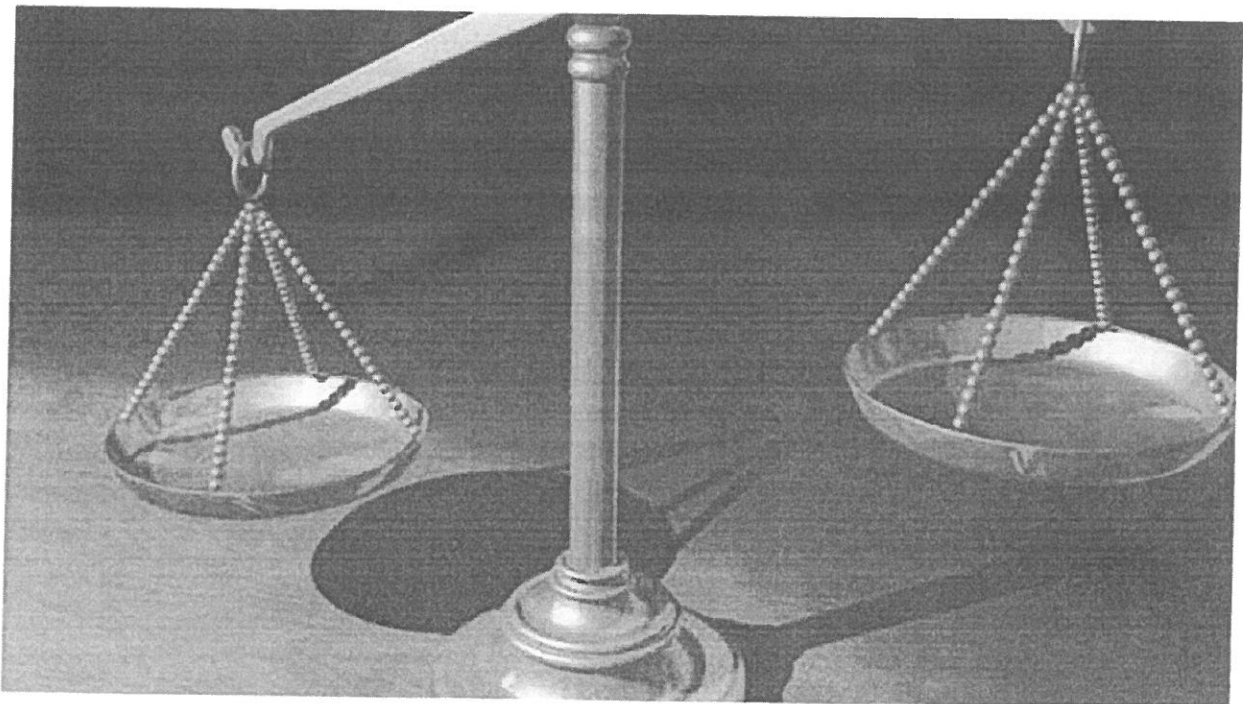
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## Trump should pardon Oregon ranchers -- They aren't terrorists



OPINION By William Perry Pendley | Fox News



In April, President Trump pardoned I. Lewis "Scooter" Libby Jr., top aide to former Vice President Dick Cheney, who was convicted in an abuse of prosecutorial discretion. Now the president should do the same thing for Dwight L. Hammond, Jr., 76, and his son Steven Dwight Hammond, 49, long-suffering ranchers in rural Oregon.

The Hammonds were charged with terrorism and sentenced in 2015 to five years in prison, despite the outraged protests of ranchers and other citizens.



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The Oregonian, the state's left-leaning newspaper, said in a January 2016 editorial: "The Hammonds broke the law and deserve to be punished" but said their sentence was excessive and that the president (then Barack Obama) "should consider" granting them clemency.

The Hammonds are the victims of one of the most egregious, indefensible and intolerable instances of prosecutorial misconduct in history. Their situation cries out for justice that can come only from President Trump.

The Hammonds' crime? They set a legally permissible fire on their own property, which accidentally burned out of control onto neighboring federal land. Normally, that is an infraction covered by laws governing trespassing, and the guilty party is subject to paying for damages caused by the fire – if the neighboring land belongs to an ordinary citizen.

But not when a vindictive federal government is involved.

The Hammonds are cattle ranchers in southeastern Oregon's Harney County, the state's largest, but home to fewer than 8,000 people who eke out a living. The federal government owns 75 percent of the land in the county.

**Congress passed the 1996 law in response to the 1993 World Trade Center bombing and the 1995 Oklahoma City bombing to "deter terrorism." Lawmakers did not have in mind a rancher's efforts to eradicate noxious weeds or to prevent the spread of a lightning fire onto valuable crops.**

The Hammond Ranch is near the unincorporated community of Diamond, with fewer than 100 residents. Located on Steens Mountain since it was established in 1964, the ranch is made up of 12,872 acres of deeded private land. Dwight Hammond began running the ranch in his early 20s; for his son, it is the only life he knows.

Like most Western ranches in federally dominated counties, the Hammond Ranch holds grazing rights on nearby federal land. In this case, that is 26,421 acres managed by the Bureau of Land Management of the U.S. Department of the Interior.

In the "high desert" environment of Harney County – and throughout the West – federal, state and private landowners use controlled or prescribed burns for prairie restoration, forest management and to reduce the buildup of underbrush that could fuel much bigger fires.

But sometimes the controlled fires get out of control and sweep onto neighbors' land. That is legally deemed a trespass, and the landowner who set the fire is liable for any damages.



Only the federal government has the power to cite the trespasser criminally for his or her actions. That is what happened to the Hammonds.

It did not happen in a vacuum. The U.S. Fish and Wildlife Service has long coveted the Hammond Ranch for inclusion in its surrounding Malheur Wildlife Refuge. The federal agency pressured members of the Hammond family for decades to follow all of their neighbors in selling their property to the federal government.

For their part, Bureau of Land Management officials, agents and armed rangers too often have had an adversarial and thorny relationship with ranchers and grazing permittees, which worsened during the Obama administration.

In 2001, after alerting the Bureau of Land Management, the Hammonds set a legal fire to eradicate noxious weeds. It spread onto 139 acres of vacant federal land. According to a government witness, the fire actually improved the federal land, as natural fires often do.

In 2006, Steven Hammond started another prescribed fire in response to several blazes ignited by a lightning storm near his family's field of winter feed. The counter-blaze burned a single acre of federal land. According to Steven Hammond's mother, "the backfire worked perfectly, it put out the fire, saved the range and possibly our home."

**"We thought we lived in America where you have one trial and you have one sentencing." She said that federal officials "just keep playing political, legal mind games with people and people's lives."**

The Bureau of Land Management took a different view. It filed a report with Harney County officials alleging several violations of Oregon law. However, after a review of the evidence, the Harney County district attorney dropped all charges in 2006.

The Bureau of Land Management did not give up. In 2011, federal prosecutors – referencing both the 2001 and 2006 fires – charged the Hammonds with violating the "Antiterrorism and Effective Death Penalty Act of 1996," which carries a mandatory minimum prison sentence of five years.

Mugshots of the father and his son accompanied headlines calling them "arsonists." Their wife and mother said: "I would walk down the street or go in a store, people I had known for years would take extreme measures to avoid me."

In 2012, the Hammonds went to trial. As the jury was deliberating, they agreed not to appeal the jury verdicts in exchange for the government dismissal of a slew of ancillary charges, including "conspiracy" to commit the offense.

The jury found both Hammonds guilty of the 2001 fire and Steven Hammond guilty of the 2006 blaze; he was acquitted on charges the 2006 fire did more than \$1,000 in damages.

At sentencing, U.S. District Judge Michael Hogan concluded the fires did not endanger people or property. He declared that the law the Hammonds were convicted of violating was aimed at more serious conduct than their case involved.

Hogan added that the Hammonds had "tremendous" character, and stated that the Eighth Amendment to the Constitution – barring "cruel and unusual punishment" – justified a sentence below the statutory minimum sentence.

Consequently, Judge Hogan sentenced Dwight Hammond to three months in prison and his son to a year and a day. Both served their sentences and then returned home.

But the federal government was not finished. Federal prosecutors, contending the agreement did not bar them from further action, appealed to the Ninth U.S. Circuit Court of Appeals, which, without oral arguments, quickly issued a terse ruling reversing the Oregon federal district court.

"Given the seriousness of arson," the appellate court ruled, "a five-year sentence is not grossly disproportionate to the offense." The Hammonds are both still in prison today.

Congress passed the 1996 law under which the Hammonds were convicted in response to the 1993 World Trade Center bombing in New York City and the 1995 federal building bombing in Oklahoma City in order to "deter terrorism." Lawmakers did not have in mind a rancher's efforts to eradicate noxious weeds or to prevent the spread of a lightning fire onto valuable crops.

That apparently did not matter to the U.S. Attorney's Office in Oregon, the Bureau of Land Management, the Fish and Wildlife Service and officials who are supposed to provide adult supervision to prevent personal animus, agency vendettas and prosecutorial abuse.

"We didn't think it could happen," said Susie Hammond, the family matriarch. She is still trying to hold onto the ranch, upon which four local families other than the Hammonds rely. "We thought we lived in America where you have one trial and you have one sentencing." She said that federal officials "just keep playing political, legal mind games with people and people's lives."

Now it's up to President Trump to deliver justice to the Hammonds – something the federal government has long denied them.

William Perry Pendley is president of Mountain States Legal Foundation in Denver and author of "Sagebrush Rebel: Reagan's Battle With Environmental Extremists and Why It Matters Today" (Regnery, 2013).

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## The Ultimate Land Clearance

*The U.S. government has inflicted 40 years of abuse on Nevada's Hage family.*

*By Ramona Hage Morrison*

Recently the *Wall Street Journal* carried a front-page feature by Jim Carlton highlighting my family, the Hages. It attempted to cover the plight of western ranchers and our 40-year David-and-Goliath struggle to prevent the federal government from taking our ranch without just compensation through government threats, intimidation, prosecution, and abuse of discretion.

Pine Creek Ranch is now in foreclosure. We have won enormous landmark victories for western ranchers in multiple bench trials, including a \$14 million judgment against the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM), and—in a separate court—a ruling that the government had engaged in a conspiracy beginning in the 1970s to take our vested water rights and grazing preferences. However, on appeal, the federal courts twisted themselves into a legal pretzel to rule in favor of the government, finally taking our ranch judicially.

Like so many other ranchers before us (many personal friends), we are packing up and moving off the land in a modern-day,

government-sponsored land clearance. What is not well-known is the shocking lengths to which the 9th U.S. Circuit Court of Appeals and U.S. Court of Appeals for the Federal Circuit, as well as the Department of Justice, went to circumvent law, law of the case, rules of procedure, and rules of ethical conduct to manufacture rulings which whitewash government misconduct. In light of the nonstop headline news swirling around DOJ and federal courts, it is worth noting that the rank lawlessness we are witnessing on the nightly news is not limited to a few political appointees, but is endemic throughout the courts and federal agencies.

Since moving to Pine Creek Ranch as a high school freshman with my parents in 1978, I have had a front-row seat from which to view the lengths to which the government would go to drive my parents and so many other ranchers like them out of business. After winning three administrative appeals against the USFS—each costing between \$50,000 to \$150,000 to defend—the government retaliated in 1991 by raiding the ranch with a 40-man Forest Service SWAT team to

impound 104 head of cattle. It then sold the cattle and kept the proceeds. The USFS perpetrated the raid based upon false allegations of overgrazing without providing us the constitutional protections of procedural due process of law before the cattle and our livelihood were stolen. Two massive civil cases—the 1991 Constitutional Fifth Amendment Takings Case of *Hage v. U.S.* and the 2007 trespass case, *U.S. v. Hage*—were born out of my family having to defend our constitutionally protected property rights in court on a ranch which was otherwise rendered worthless by the government's actions.

Since 1991, we have slogged through nearly three months of actual court days in several separate bench trials, a jury trial, state water adjudication and contempt hearing against the government, the testimony of numerous witnesses, and review of thousands of exhibits. Two independent federal judges from two separate jurisdictions separated by more than a decade of time, after lengthy trials with actual evidence, concluded that representatives of the United States from the BLM and the USFS acted in coer-

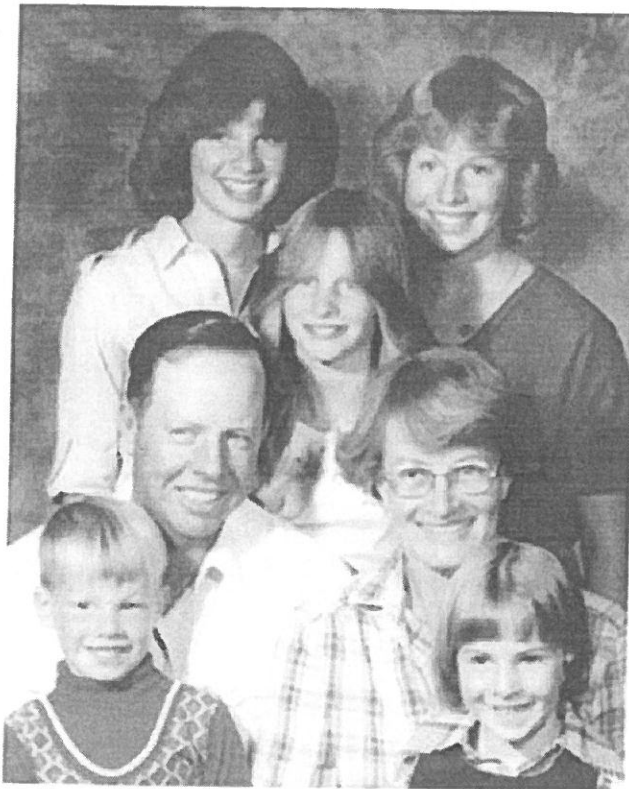
cive, fraudulent manners towards my family.

Judge Loren A. Smith, chief judge of the U.S. Court of Federal Claims, after two bifurcated bench trials in a 20-year-long case, with a total of five weeks of trial where actual evidence was presented concerning the manner in which these agents of the U.S. government abused their discretion and power against the Hage family, concluded that any attempt by the Hages to negotiate or attempt to comply with the demands of these agents and their bureaucracies would be futile. Smith ruled in favor of the Hages—finding that the actions of these agents constituted a pattern and practice designed to deprive the Hage family of its vested water rights, 1866 Act ditch rights-of-ways, and range improvements—which resulted in a judgment for the Hages of over \$14 million.

The government appealed. After a 30-minute hearing in the appellate court, three judges determined that had the Hages filed a request for a special-use permit the Forest Service would have granted it, and since the Hages did not file such a request, the case was not ripe, and therefore dismissed. This despite the fact that there was no requirement to file for a special-use permit, and despite the fact that Judge Smith specifically found that any attempt by the Hage family to work cooperatively with USFS or BLM agents would be futile. Unfortunately, the U.S. Supreme Court did not grant certiorari on this matter, leaving the Hages without a remedy.

Judge Robert C. Jones, chief judge of the Federal District Court for the District of Nevada, after a four-week civil trial, with careful consideration of over 21 days of testimony and evidence, and an additional four days of a separate contempt-of-court hearing, determined that the representatives of the USFS and BLM acted in a manner specifically to conspire to deprive the Hage family of its vested property rights, in particular stockwater and grazing preferences, as Judge Smith had previously found in the U.S. Court of Federal Claims. Jones specifically found that the conduct of these bureaucrats "shocked the conscience" of the court.

The court also named the Department of Justice attorneys as possibly being a part of that conspiracy. Judge Jones found evidence of fraud, mail fraud, and wire fraud on the part of the federal agents and of racketeering or RICO. He specifically charged several of the USFS and BLM representatives with contempt of court and ruled in favor of the defendant, Wayne Hage Jr., and the Estate of Wayne and Jean Hage. Finally, the BLM and



COURTESY HAGE FAMILY

*The Hage family, shortly after they arrived at their dream home on Pine Creek Ranch near Tonopah, Nev., in 1978. From top left: Ramona, Ruth, Margaret, Wayne, Jean, young Wayne Jr. (now age 43), and Laura. They didn't know that federal agents were already after their outfit. The 9th U.S. Circuit Court of Appeals is currently hearing what might be the Hages' last appeal. As is becoming too common these days, und obvious to anyone paying attention, American "justice" doesn't work.*

USFS, which had arbitrarily cancelled the Hages' grazing permits in the early 1990s, were ordered by the court to reinstate the Hage Estate's grazing permits.

After a 40-minute hearing in the 9th Circuit, the three-judge panel determined that no lucid judge would have made these findings absent some bias or prejudice against the government. This despite the fact that the findings made by Judge Jones in Nevada, after independent consideration of overwhelming evidence, made virtually identical findings to those previously made by Judge Smith in Washington, D.C.

As a result of the court's disbelief that representatives of the government would act consistent with the findings of Judge Jones,

the 9th Circuit reversed Jones' decision, remanded the case back to the district court level, and directed Judge Gloria Navarro to rule in favor of the USFS and BLM. This case was also appealed to the Supreme Court, which for the second time did not grant certiorari in the absence of Justice Scalia, again leaving the Hage family without a remedy.

Judge Navarro, a newly Obama-appointed federal district judge from the District of Nevada, was assigned to enter a judgment in favor of the United States against Wayne Hage, as a result of the 9th Circuit's ruling that Judge Jones was biased and prejudiced against the United States. She dutifully relied on the allegations of representatives of the DOJ regarding damages incurred by defen-

dant Hage. She accepted the government's allegations without an evidentiary hearing and despite the fact that no evidence concerning the cause or amount of those alleged damages had ever been introduced in any court. This resulted in the United States being awarded a judgment against Wayne Hage Jr. in the amount of nearly \$580,000, although the actual amount supported by evidence presented at trial by the government was a mere \$15,000. The punitive amount of this judgment is currently on appeal to the 9th Circuit Court of Appeals.

This same Judge Navarro was the junior judge assigned to the criminal case against the Bundy family and other defendants. Judge Navarro in two separate Bundy defendant trials had, like in the Hage hearing, ruled entirely for the government during the course of those trials, in a manner that was shockingly biased to many court observers. However, last December in the third trial involving Bundy family members, evidence was presented concerning the agents from the Department of Justice, U.S. Attorney's Office, BLM and FBI engaging in fraud, misrepresentation of material facts to the court, and collusion against the Bundys. These

agents had concealed over 3,000 pages of exculpatory evidence from the defense team in violation of Federal Rules of Criminal Procedure. Judge Navarro was presumably left with no choice but to dismiss the Bundys with prejudice, which she did. She specifically noted that the BLM and DOJ engaged in "flagrant misconduct" and "deliberate attempts to mislead and distort the truth."

In addition to the fact that three different federal judges have specifically found a pattern and practice of inappropriate and even illegal behavior by representatives of the DOJ, BLM, USFS, U.S. Attorney's Office, and FBI, additional evidence of gross misconduct has recently come to light via a BLM whistleblower. The so-called "Wooten Memo," written by the BLM's lead investigator on the Bundy matter, contains many charges against government agents including a chilling reference to a "kill book" which was bragged about by head BLM enforcement officer Dan Love. The 18-page memo reveals that the pattern and practice of the federal land-management agencies were, by design, intended to violate the constitutional rights and to deprive U.S.

citizens such as the Hage and Bundy families of their property. A second Wooten whistleblower memo was just discovered but it has been ordered to be sealed by the court by Judge Navarro, who continues to refuse to release the 3,000 pages of exculpatory evidence to the defendants in the Bundy trials.

The lengths to which the appellate courts have gone to substitute their own findings of fact for those of the trial judge, or to charge the trial judge with bias in order to avoid ruling on the merits of a case, or to utilize any other legal loophole in order to rule over 90 percent of the time in favor of the federal government is a sheer travesty of justice. The Hage cases are Exhibit A for why ranchers do not believe they have a snowball's chance in hell to prevail against an all-powerful federal master, no matter how strong the evidence or how many judges agree with them.

**The Hage cases are Exhibit A for why ranchers do not believe they have a snowball's chance in hell to prevail against an all-powerful federal master, no matter how strong the evidence or how many judges agree with them.**

As a DOJ attorney said to us during court-ordered settlement talks, they weren't concerned about Judge Jones' ruling because "we get everything we want from the 9th Circuit." DOJ attorneys also informed us at another time that it is "Justice Department policy to get privately owned

water into government ownership."

We unfortunately don't have congressional investigators combing through court documents, emails and texts, secret warrants or phone taps, etc., in numerous cases where the BLM, USFS, EPA and U.S. Fish & Wildlife Service, enabled by the Justice Department and FBI, have targeted property owners and other land users for destruction. Dwight and Steven Hammond are currently sitting in jail, charged as domestic terrorists for a backfire that accidentally burned a small piece of adjacent vacant federal land. LaVoy Finicum was shot and killed by snipers on the side of the road. Raymond Yowell, the Dann sisters, Ben Colvin, Danny Martinez, Kit Laney, my family, and many others have watched their livestock and livelihoods hauled off by the BLM and USFS in cattle trucks at gunpoint without being afforded procedural due process of law or just compensation.

It is no surprise to us that agents charged with enforcing the law would attempt to prosecute trumped-up charges to topple a duly elected president. Sadly, the evening news looks eerily familiar. ■

## Responding to Committee Document Requests

In responding to document requests from the Committee on Natural Resources, please apply the instructions and definitions set forth below:

### Instructions

1. In complying with the request, you should 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 currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
3. Documents must be provided in electronic form (i.e., memory stick, thumb drive, or internet-based). Documents produced should also be organized, identified, and indexed electronically. Documents should be produced in their native file format. For example, emails from Microsoft Outlook should have a “.pst” file extension, Excel files should have an “.xls\_” or similar extension, and Microsoft Word documents should have a “.doc\_” extension. Consult with the Committee to determine the appropriate format in which to produce the information.
4. Each document produced should be produced in a form that renders the document capable of being copied.
5. 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, or folder transmitted through the internet is produced, each should contain an index describing its contents.
6. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.
7. When you produce documents, you should identify the paragraph in the Committee’s schedule to which the documents respond.
8. It shall not be a basis for refusal to produce documents that any other person or entity also possesses a non-identical or identical copy of the same documents.

9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.
10. In the event that any document or part of a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document or part of a 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.
11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
12. 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 should produce all documents which would be responsive as if the date or other descriptive detail were correct.
13. 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 should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be Bates-stamped sequentially and produced sequentially.
15. Documents produced to the Committee in response to this request should be delivered to majority staff in Room 1324 of the Longworth House Office Building or directly through the internet.

### 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, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, text messages, MMS or SMS messages, other mobile-to-mobile messages, instant messages or online chat messages, meetings or other communications, 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, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, 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 "**documents in your possession, custody, or control**" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that you have placed in the temporary possession, custody, or control of any third party.
3. 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 face-to-face, in a meeting, by telephone, facsimile, mail, e-mail (desktop or mobile device), text message, MMS or SMS message, other mobile-to-mobile message, instant message or online chat, telexes, releases, personal delivery, or otherwise.
4. 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.
5. The terms "**person**" or "**persons**" means 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, and other units thereof.
6. 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.
7. The terms "**referring or relating**," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.
8. 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.