# Karen Budd-Falen

Karen Budd-Falen is a Wyoming-based property rights attorney who briefly worked as a member of the Trump Administration’s transition team for the Department of the Interior. She was reportedly being vetted to lead the Bureau of Land Management but ultimately withdrew her name over issues related to conflict of interest. In November, Budd-Falen will begin work as the Deputy Solicitor for Parks and Wildlife working on issues related to endangered species, wildlife refuges, and national monuments.

Key findings:

**Was Considered “Grandmother of County Movement;”** Karen Budd-Falen has been referred to as the “godmother of the county movement.” In the 1990’s Budd-Falen helped draft the Catron County Comprehensive Land Plan, which placed the county’s “custom and culture” above Federal government authority. The plan stated that Federal and state wildlife policies have “damaged privately and publicly owned lands and resources” and “undermined the practice of democracy.” One of the ordinances drafted by Budd-Falen defined Federal grazing permits as private property, an idea that would later be fully endorsed by supporters of the Bundy family. In 2017, she was identified as the “chief legal theorist” behind a Crook County policy that would have given the county veto power over federal land management decisions. Budd-Falen claimed not to have an opinion on federal land transfer, since it was not “her area of legal expertise,” but believed that a question as to whether federal lands should have been transferred back to the states when they officially adopted their constitutions was a “fabulous legal exercise.”

**Sympathized With Bundy Family and Supporters.** In 1989, Karen Budd-Falen represented Cliven Bundy and his neighbors in a lawsuit against the U.S. Fish and Wildlife Service over the Desert Tortoise. Although she believed Bundy had broken the law by refusing to pay grazing fees, Budd-Falen stated that she “totally [got] what drove [Cliven Bundy] to do what he did [at Bunkerville]” and predicted “I think you’re going to see more of that because we’re not left with any choice.” Budd-Falen further believed the BLM had used too much force during the Bundy Ranch standoff and should not have taken the “law into their own hands.” Budd-Falen has parroted a popular Bundy argument that “the constitution requires the federal government to own only military and post offices,” but acknowledged that this belief ignored “200 years of court precedent.” According to Budd-Falen, she has not spoken to Cliven Bundy since she represented him 29 years ago.

**Opposed Baseline Conservation Protections.** Budd-Falen has fought vehemently against the Endangered Species Act, believing it to be a “sword to tear down the American economy, drive up food, energy and housing costs and wear down and take out rural communities and counties.” Budd-Falen further believed it was “fair” to suggest that ESA was “going to lead to the destruction of the progress we’ve made in this country.” She has fought against protections for species like the Mexico Gray Wolf and Desert Tortoise and has suggested that the Federal government lacks the authority to regulate animals that stay within a state’s boundaries. Budd-Falen has also opposed the National Environmental Protection Act and Equal Access to Justice Act.

**Undermined Safety of Federal Agency Employees.** The 1992 Catron County Comprehensive plan states, “Federal and state agents threaten the life, liberty, and happiness of the people of Catron County. They present a clear and present danger to the land and livelihood of every man, woman, and child.” A related ordinance allowed the county to arrest any Federal agents that “violated the civil rights of residents.” In 2003, Budd-Falen held a rally outside of a BLM office where she suggested that ranchers were “in a war and if we don’t stand up and be counted, we’re going to lose that war.” Four years later, Budd-Falen represented a Wyoming ranching who sued BLM employees under federal racketeering laws. In a 2013 House Natural Resources Subcommittee Hearing, Budd-Falen argued that citizens should be allowed to sue individual Federal employees. Karen Budd-Falen has sued Federal public lands agencies at least 7 times over her career.

**Kept Company With County Supremacists and Shared Conspiracy Theories.** Karen Budd-Falen believed that the Treaty of Guadalupe Hidalgo required the Federal government to “recognize the customs and usages” of former Mexican citizens. Furthermore in 2011, Budd-Falen spoke at an Agenda 21 workshop where she “expos[ed] how one aspect of Agenda 21 becomes the foundation to lock up land and remove it from public use.” Budd-Falen believed that Utah legislation to transfer public lands away from the government could be constitutional. In May 2017, she spoke at a “Range Rights and Resource Symposium” that was also scheduled to feature Malheur refuge occupier Todd MacFarlane. Budd-Falen has also spoken at events featuring constitutional sheriffs, a group tightly associated with the Bundys and their county supremacy ideology. These include Grant County Sheriff Glenn Palmer who became a “heroic figure” among Bundy supporters after he sympathized with the Malheur refuge occupiers and allegedly asked two of the standoff’s leaders to sign his “pocket constitution.” Budd-Falen has also defended the Hammond family, whose imprisonment after illegally burning 140 acres, sparked the Malheur refuge occupation.

**Believed Antiquities Act Was “Significantly Abused.”** Budd-Falen has advocated for legislation that would reform the Antiquities Act to require state and local approval for national monument designations. According to Budd-Falen, the current act has been “significantly abused.” She further stated, “I looked at Bears Ears and Grand Staircase-Escalante, surely that’s not the smallest area possible to protect these things…So, I’m not convinced that those were even lawful to designate.”

## Bundy Sympathizer

**Karen Budd-Falen “I Totally Get What Drove [Cliven Bundy] To Do What He Did.”** “Clark County, which also wanted those same lands to expand Las Vegas, received a permit to develop on that land—which would inadvertently kill tortoises—as long as they paid $550 per acre to fund conservation efforts in another area. The county offered to buy the ranchers out, and about 50 ranchers left, leaving only Bundy to stand his ground and continue grazing without a permit. For the next two decades he ignored the trespass fines the BLM issued him, claiming the federal government did not have authority over the land, until he owed about $1 million and the agency tried to confiscate his cattle. ‘I can’t say I agree with the way Cliven handled it, and I don’t think what he did … was legal, but I totally get what drove him to do what he did,’ said Budd-Falen, who herself is a fifth-generation rancher. ‘I totally get it. I think you’re going to see more of that because we’re not left with any choice.’” [World Magazine, [11/29/14](https://world.wng.org/2014/11/long_land_battle)]

**Karen Budd-Falen: “The Cliven Bundy Situation Goes To Show How American Citizens React When A Government Has So Expanded That It Believe That The Citizens Are Subservient To Political Power.”** “The standoff between Nevada rancher Cliven Bundy and the federal government is symptomatic of Washington’s increased hostility towards ranchers, says a seasoned Wyoming environmental lawyer. ‘The Cliven Bundy situation goes to show how American citizens react when a government has so expanded that it believe that the citizens are subservient to political power,’ Karen Budd-Falen, a senior partner with Budd-Falen Law Offices L.L.C., told The Daily Caller News Foundation.” [Daily Caller, [4/14/14](http://dailycaller.com/2014/04/14/feds-accused-of-intimidation-and-bullying-ranchers/)]

**Karen Budd-Falen Believed BLM Used Too Much Force During Bundy Ranch Standoff.** “While Budd-Falen says the BLM handled the Bundy situation in the way the law dictated, she doesn’t agree with the show of force. ‘The BLM had lots of other options, starting 15 years ago when he quit paying his grazing fees. Everyone was armed. To have such a show of almost military force I don’t think is called for under the law either. There wasn’t any reason for the BLM to think, ‘If we just bring a big enough army he’s not going to do anything.’ For the BLM to turn this into some sort of military operation is totally outrageous and completely unnecessary.’” [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

### Represented the Bundy Family in Court

**1989: Karen Budd-Falen Represented Cliven Bundy and Neighbors in Lawsuit Against U.S. Fish and Wildlife Service Over Deseret Tortoise.** “On Aug. 4, 1989, the U.S. Fish and Wildlife Service published an emergency rule listing the Mojave population of the desert tortoise as endangered. This started a chain of events that brought Cliven Bundy, the Bureau of Land Management and the desert tortoise to headlines around the country 25 years later. Karen Budd-Falen, an attorney who specializes in environmental law and property rights, represented Cliven Bundy and his neighbors in a lawsuit when the USFWS issued the decision that required the BLM to revoke the ranchers’ grazing rights.” [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

* **Karen Budd-Falen: “When The Desert Tortoise Was Listed, The USFWS Said To The BLM That You Have To Eliminate Livestock Grazing In Southern California, Nevada And Arizona. These Are Not Normal Grazing Permits In Southern Nevada. These Are Ephemeral Permits.”** [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

**Budd-Falen: “That Was The Last Time I Represented Him Or Actually Have Even Spoken To Him.”** “Budd-Falen said she agreed 29 years ago to represent Cliven Bundy and the other ranchers after they were forced off their grazing allotments. She appealed the decision and got the ranchers back onto the public land. ‘That was when he was still paying his grazing fees and had a grazing permit,’ she said of Cliven Bundy. ‘That was the last time I represented him or actually have even spoken to him.’” [Spokesman Review, 2/20/18]

## Budd-Falen Wrote the Land Seizure Playbook: The Catron Ordinance

**James Catron Contacted “Godmother of the County Movement” Karen Budd to Advance Sagebrush Rebellion and Draft Laws Against Federal Control of Land.** “To help him draft the laws, Catron contacted Karen Budd, a tireless Wyoming lawyer who’s widely described as the godmother of the county movement. Budd, who served under James Watt at the Interior Department and later moved to the Mountain States Legal Foundation, saw the emerging Catron County situation as a way to advance the moribund Sagebrush Rebellion. In that movement, which began in the seventies but faded after Watt left the Reagan administration in disgrace, big landholders in the West sought to transfer title on federal land to the states and eventually to private ownership.” [Outside Magazine, [5/2/04](https://www.outsideonline.com/1832686/wayward-west-liberty-and-firepower-all)]

**Budd-Falen Helped Draft Catron Ordinances, which Declared Federal Powers Subservient to County “Custom and Culture,” which Meant Grazing and Logging.** This was the region that, a bit more than a decade ago, nurtured the Sagebrush Rebellion, an anti-federal movement (Nevadans tried unsuccessfully to snatch Bureau of Land Management turf) that helped put Ronald Reagan in the White House and foreshadowed the present fight. The latest outbreak first took form in Catron County, N.M., on the southwestern border with Arizona. After logging was barred in some federal forest in 1989 to protect the Mexican spotted owl, county officials passed ordinances in effect declaring federal powers subservient to county ‘custom and culture’ - meaning grazing and logging. Federal employees who did not cooperate could be arrested. Word of the Catron revolt spread, and more than 40 counties in several states, according to the Wilderness Society, have followed suit, often using a guidebook Catron leaders are marketing.” [Philadelphia Inquirer, 5/19/94]

**Karen Budd and James Catron Were Listed as a “Legal Advisor” on the Catron County Land Planning Committee.** [Catron County Comprehensive Plan, [September 1992](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

**Catron County: “The Presence Of Federal And State Lands In Catron County Adversely Impact Privately Owned Lands, Obstruct And Weaken The Institution Of Private Property Rights, Threaten Custom And Culture, And Erode And Deny The Right Of Families, Communities, And County Government To Self Determine Their Fate, Security, And Well Being Through Democratic Means.”** “The presence of federal and state lands in Catron County adversely impact privately owned lands, obstruct and weaken the institution of private property rights, threaten custom and culture, and erode and deny the right of families, communities, and county government to self determine their fate, security, and well being through democratic means. Catron County citizens are concerned that any additional sales or transfers of private land into federal or state ownership will adversely impact local custom and culture and further endanger private property rights. They are also concerned that policies and actions of federal and state agencies place the lives, welfare, and property of county citizens in eminent peril.” [Catron County Comprehensive Plan, [September 1992](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

**County Required “No Net Loss of Private Land Base” and Compensation of Any Private Lands Loss With Public Lands of Equal Value.** “It is the County’s position that: There shall be no net loss of the private land base and that the federal and state government holds a sufficient amount of land to protect public interest. No ‘net loss’ should be measured, in both acreage and fair value, without approval of the County Commission. A private property owner has a right to dispose of or exchange his property as he/she sees fit within applicable law. A private property owner should be protected from federal, state, and county encroachment and/or coerced acquisition. The County will be compensated for any net loss of private lands with public lands of equal value and compensated for any loss of tax base resulting from these exchanges by the appropriate acquiring agency.” [Catron County Comprehensive Plan, [September 1992](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

**Catron County: “Federal Law Enforcement Authority On Public Lands “Demeans Custom And Culture And Deprives The People Of Catron County Of The Fundamental Rights To Self Rule And Self-Determination.”** “Currently, federal land management agency law enforcement officers have patrol and arrest authority on Forest Service and Bureau of Land Management properties. In addition, other federal law enforcement agencies exercise similar authority, often without coordination with county government. Such authority demeans custom and culture and deprives the people of Catron County of the fundamental rights to self rule and self determination. In addition, federal law enforcement activities on Bureau of Land Management properties are in violation of the Federal Land Policy and Management Act (43 USC 1733(c)(1)). The act specifies that when necessary, ―in enforcing federal laws and regulations relating to the public lands or their resources [the Secretary] 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. The BLM, as agent of the Secretary of the Interior, has not offered the mandate.” [Catron County Comprehensive Plan, [September 1992](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

**Catron County: Federal and State Wildlife Policies Have “Damaged Privately and Publicly Owned Lands and Resources” and “Undermined the Practice of Democracy.”** “Federal and state agencies, in their respective roles of habitat and wildlife managers, have formulated wildlife policies and implemented wildlife practices that have: 1. Damaged privately and publicly owned lands and resources. 2. Diminished or destroyed formal and customary rights in federal lands held by citizens of Catron County. 3. Undermined the practice of democracy in Catron County.” [Catron County Comprehensive Plan, [September 1992](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

### Shared Ideology With Bundy Supporters

**October 1992: Ordinance Defined Federal Grazing Permits as Private Property.** “WHEREAS, the original Forest Service regulations sanctioning grazing on federal lands recognized and protected the herdsman’s prior right to the forage and taxed grazing permits as private property…” [Catron County Ordinance 005-92, [10/6/92](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

* **SPLC: Bundy Supporters Believed Federal Grazing Permits Were Private Property.** “Radical officials in Catron County, N.M., pass a total of 21 ordinances meant to supersede federal authority over public lands. Among other things, the laws define federal grazing permits as private property — not a public service offered by the federal government — just as many Bundy supporters will two decades later. Local county politicians warn of ‘civil war’ if the government doesn’t back off, with one specifically warning of violence if ranchers’ cattle are seized.” [Southern Poverty Law Center, [8/20/14](https://www.splcenter.org/fighting-hate/intelligence-report/2014/land-use-patriots)]

### Differences with Bundy Supporters

**Karen Budd-Falen Agreed That Constitution Only Allowed Federal Government to Own “Military and Post Offices,” But “200 Years of Court Precedent” Said Otherwise.** “One of Bundy’s claims is that he shouldn’t pay fees to the federal government because the federal government can’t own property, according to the constitution. Budd-Falen says she wasn’t part of Bundy’s decisions or court cases after the initial case in 1989. ‘I was not around or part of the decision when Cliven quit paying his grazing fees. I think that is breaking the law. While I have absolutely read the constitution and understand that the constitution requires the federal government to own only military and post offices, saying ‘I’m standing only on the constitution,’ ignores 200 years of court precedent.’” [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

**Karen Budd-Falen Did Not Represent Bundy After the 1989 Case, Believed Bundy Broke the Law by Refusing to Pay Grazing Fees.** “One of Bundy’s claims is that he shouldn’t pay fees to the federal government because the federal government can’t own property, according to the constitution. Budd-Falen says she wasn’t part of Bundy’s decisions or court cases after the initial case in 1989. ‘I was not around or part of the decision when Cliven quit paying his grazing fees. I think that is breaking the law. While I have absolutely read the constitution and understand that the constitution requires the federal government to own only military and post offices, saying ‘I’m standing only on the constitution,’ ignores 200 years of court precedent.’” [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

**Budd-Falen: “I Think It’s Highlighted Some Of The Frustration That Ranchers Feel When The BLM Refuses To Legitimately Work With Them. But It Hurts That If It Makes Other Ranchers Think They Can Take The Law Into Their Own Hands, Which I Completely Disagree That They Can.”** “Asked if the Bundy legal cases have helped or hurt ranchers’ causes, she said both. ‘I think it’s highlighted some of the frustration that ranchers feel when the BLM refuses to legitimately work with them,’ she said. ‘But it hurts that if it makes other ranchers think they can take the law into their own hands, which I completely disagree that they can.’ Budd-Falen left the family ranch that she and her sisters still own near Big Piney, Wyoming, and became a lawyer some 30 years ago to deal with land-use issues. She tells her clients that if they don’t like a law or regulation that they need to work within the system to make changes. ‘That’s the way the Constitution is set up to change a regulation you don’t like,’ she said. ‘There is nowhere in the Constitution that says I get to be the Supreme Court and make up my own law as I go.’” [Spokesman Review, 2/20/18]

### Claimed Not to Have Opinion on Land Transfer

**Budd-Falen Claimed Not to Have an Opinion on Federal Land Transfer.** “A candidate to lead an agency that oversees public lands totaling one-eighth of the U.S. says environmentalists mischaracterize her as an advocate of signing those landscapes over to state and local governments and private interests when in fact she’s got no opinion on the issue. Cheyenne attorney Karen Budd-Falen and others drew dozens of protesters when she addressed a recent land-use forum in western Montana. The protesters spoke out against the small but growing movement in the West to wrest control of public lands from federal agencies. A land-transfer advocate invited Budd-Falen to the Ravalli County event Nov. 18 but her legal work has nothing to do with the topic, Budd-Falen said. ‘It’s not an issue that I was dealing with. But people just assumed that,’ Budd-Falen told The Associated Press in an interview Monday.” [The Associated Press, 11/26/17]

**“Budd-Falen Declined To ‘Even Venture A Guess’ Whether Wholesale Transfers Of Federal Land Would Help Local Communities, Adding It’s Also Not Her Area Of Legal Expertise.”** “Budd-Falen declined to ‘even venture a guess’ whether wholesale transfers of federal land would help local communities, adding it’s also not her area of legal expertise. Budd-Falen’s clients in the 1990s included Cliven Bundy, a Nevada rancher on trial for a 2014 confrontation with federal officials over grazing fees. Budd-Falen grew up on a ranch in western Wyoming’s Upper Green River Basin - an area known for world-class trout fishing and some of the nation’s biggest gas fields - and said she went to law school at the University of Wyoming knowing she would represent ranchers. Today, she said, too many government officials have a say in small-scale decisions affecting federal grazing allotments they’ve never seen in person. Her father used to invite local BLM and Forest Service officials over when they were considering minor, local changes. They’d drink coffee, look at maps and argue but make decisions quickly, she recalled. ‘I think that’s a better way to manage than we’re going to have a million rules from Washington that may or may not apply, and so we’re going to give all these people who have all these political ideas a say,’ Budd-Falen said.” [The Associated Press, 11/26/17]

**Budd-Falen: “Should These Lands Have Been Transferred To The States When The States Adopted Their Constitutions? That’s A Fabulous Legal Exercise, But That’s Not What Happened.”** “The rancher said she understands pushes in some sectors to turn federal land over to states or to sell it outright. ‘First of all, Secretary Zinke said he would never do that,’ she said. ‘There is talk about that, but I don’t think it’s in the cards. As a practical matter, I don’t know how that would work.’ Ranchers have been relying on grazing permits since 1934, and others have used public lands for everything from hunting to logging for much longer, she said. ‘Should these lands have been transferred to the states when the states adopted their constitutions? That’s a fabulous legal exercise, but that’s not what happened,’ she said. ‘Now you have 150 years and all these people who have become accustomed to all these multiple uses. ‘You can’t really say, ‘We are not going to think about those guys,’ she continued. ‘There are massive practical considerations that I don’t think are being thought through.’” [Spokesman Review, 2/20/18]

## Opposes Baseline Conservation Protections

**2005: Budd-Falen Testified against Application of the National Environmental Protection Act.** “For Calbert Seciwa and the other members of the Zuni Pueblo, the National Environmental Protection Act stopped a coal company that wanted to mine near lands in New Mexico sacred to the tribe. For Karen Budd-Falen, whose family owns a ranch in Wyoming that leases federal land, the act stopped her family from doing important work on their land, such as building fences. Both spoke at a hearing…at Rio Rancho High School held by a task force of the Resources Committee of the U.S. House. The lawmakers were trying to determine whether the act, which turned 35 this year, still works. The law was meant to allow for environmental and public oversight in the planning stages of any major federal project. Seciwa and Budd-Falen were joined by 12 other witnesses who testified during the fourth of six hearings. Budd-Falen said her main concern with the federal law is that it is being used on projects too small to warrant such intensive review. ‘I think it is useful on major federal actions,’ said Budd-Falen. ‘But that scope is so much different than the application of NEPA to a mile of fence.’ Budd-Falen is also a lawyer and works with ranchers and farmers on issues regarding federal land. She brought six boxes to the hearing stuffed with 327 documents filed during reviews of grazing allotments in New Mexico over a two-year period to demonstrate how the act has bogged down projects.” [Albuquerque Tribune, 8/2/05]

**2011: Budd-Falen: ESA “Is Used as a Sword to Tear Down the American Economy, Drive up Food, Energy and Housing Costs and Wear Down and Take Out Rural Communities and Counties.”** “Contrary to some belief, the implementation of the ESA has real impacts on real landowners, ranchers, farmers, businesses, employers and others who are a vital part of America's present and future. Rather than saving species and conserving their habitats, the ESA is used as a sword to tear down the American economy, drive up food, energy and housing costs and wear down and take out rural communities and counties. The purpose of the ESA was NOT just to put domestic and foreign species on an ever- growing list and tie up land and land use with habitat designations, but to recover species and remove them from the list. According to a November 29, 2011 U.S. Fish and Wildlife Service (‘FWS’) report, there are currently 1065 American and 590 foreign species on the ESA list, 250 candidate species, 440 critical habitat designations and 1200 recovery plans.” [CQ Congressional Testimony, 12/5/11]

**2011: Budd-Falen Believed Environmental Groups Used Environmental Legislation Like ESA to Recoup Attorneys Fees.** “Finally, I believe that the driving force behind this endless stream of litigation is the Federal government’s payment of attorneys’ fees. Since 1995, there has been no accounting of this money. Congress and the taxpayers should know how much money is being spent to reimburse attorneys in ESA and other litigation. Some of my own clients have received reimbursement of attorneys’ fees. While I believe that the facts show that environmental groups receive a significantly higher amount and percentage of attorneys’ fees than do individuals or industry groups, there is only one way to disprove my hypothesis: through accountability and transparency. My clients and I are willing to undergo that scrutiny. I would argue that those who are against transparency and accountability have something to hide.” [The Endangered Species Act: How Litigation Is Costing Jobs And Impeding True Recovery Efforts Oversight Hearing, [12/6/11](https://www.gpo.gov/fdsys/pkg/CHRG-112hhrg71642/pdf/CHRG-112hhrg71642.pdf)]

**2011: Karen Budd-Falen Did Not Want ESA Repealed, But Also Did Not Want to Add More Species.** “I do not advocate the repeal of the ESA, but we are being told that Americans have to make some choice between species protection, private property rights, a clean environment, rural community and jobs. I would argue that these things are not mutually exclusive and that this type of fear-mongering is only for those who want to raise money based on fear. The ESA should be promoting conservation and incentive-based recovery plans, not adding more species to the list and becoming a bigger threat to American jobs.” [The Endangered Species Act: How Litigation Is Costing Jobs And Impeding True Recovery Efforts Oversight Hearing, [12/6/11](https://www.gpo.gov/fdsys/pkg/CHRG-112hhrg71642/pdf/CHRG-112hhrg71642.pdf)]

**2015: Karen Budd-Falen Argued That the Federal Government Had No Authority to Protect Animals Under Endangered Species Act That Stay Within State Boundaries.** “The Utah prairie dog resides entirely within the boundaries of the State of Utah and has no discernible effect on interstate commerce. Consequently, the federal government has no constitutional authority to regulate the taking of Utah prairie dogs on non-federal land under the Endangered Species Act. The purported commercial and biological value of the Utah prairie dog is inadequate to demonstrate that taking of the Utah prairie dog has a substantial effect on interstate commerce. There is no evidence that the taking of the Utah prairie dog on private lands in the State of Utah would significantly impact other species for which a national market exists.” [Brief of Amici Curiae Wyoming Association of Conservation Districts et. al., People for the Ethical Treatment of Property Owners V. United States Fish & Wildlife Service et al, [5/22/15](http://blog.pacificlegal.org/wp/wp-content/uploads/2015/05/AC-Brf-of-WACD-WFBF-WSGA-WWGA-UFBA-in-Supt-of-P-Aple-Affrmnc.pdf)]

**2015: Budd-Falen: Federal Bureaucracy Trying To Regulate Ranchers Out of Business.** “Additionally, my clients are faced, every day, with a more demanding federal bureaucracy who is trying to regulate them out of business. Adding insult to injury, my clients, friends and family not only have to live with the excessive regulatory burdens but also have to pay the litigation fees to feed the litigation machine.” [Congressional Documents and Publications, 8/6/15]

**2016: Budd-Falen: “Between 2012 and 2016 this Administration Finalized Four New Regulations and Two New Policies that I Believe Substantially Increase the Amount of Critical Habitat Designation and the Amount of Management that Is Going to Occur.”** “Although the ESA has not seen major regulatory change, between 2012 and 2016 this administration finalized four new regulations and two new policies that I believe substantially increase the amount of critical habitat designation and the amount of management that is going to occur. And while I am happy to discuss those regulations individually, I think that overall you have three major problems.” [CQ Transcripts, 4/19/16]

* **Budd-Falen: Regulations Were Developed in “Piecemeal.”** First, these regulations were all developed in a piecemeal fashion; one regulation here, one regulation there, one draft here, another draft there. And each of those drafts did include a NIFA analysis, the problem is that none of those NIFA analyses were ever accumulatively considered. So there has never been a cumulative impact analysis on four new regulations and two new policies all which implicate critical habitat.” [CQ Transcripts, 4/19/16]
* **Budd-Falen: NEPA Required Consideration of “Community and Culture and the Economic Impact.”** Second, the National Environmental Policy Act requires a consideration not only of just the environmental impact but also of the community custom and culture and the economic impact. Without adding all of these regulations together, there's simply no way that that occurred. So we really don't have any idea what the economic impact of these new regulations are going to be or what the impacts are going to be on small, local governments or private landowners or citizens throughout the country.” [CQ Transcripts, 4/19/16]
* **Budd-Falen: Habitat Designation Regulations Did Not Follow Endangered Species Act.** Finally, I believe that these new regulations do not follow the Endangered Species Act itself. Congress in the Endangered Species Act used the word critical for a reason. It did not say designate habitat. It said designate habitat that is critical and must be managed. And I think these new regulations eliminate that distinction between habitat and critical habitat and are a violation of the Endangered Species Act.” [CQ Transcripts, 4/19/16]

### Attacks on BLM

**1992: Catron County Ordinance Drafted by Budd-Falen Stated “Federal And State Agents…Present A Clear And Present Danger To The Land And Livelihood Of Every Man, Woman, And Child.”** Falen helped draft the Catron County Comprehensive Plan, which stated, “Federal and state agents threaten the life, liberty, and happiness of the people of Catron County. They present a clear and present danger to the land and livelihood of every man, woman, and child. A state of emergency prevails that calls for devotion and sacrifice. It asks that the citizens of Catron County unite themselves and, through their elected government, assert their fundamental rights to human dignity and self government. Most of all, it seeks from an honorable past the strength to mold and environment of freedom and opportunity for Catron County’s present and future generations.” [Catron County Comprehensive Plan, [September 1992](http://yourfirstdue.com/manager/data/1316726401/File/catron_county_land_plan_final_updated_2012.pdf)]

**Catron County Passed Ordinance Threatening to Arrest Federal Agents That “Violated the Civil Rights of Residents.”** “The movement began three years ago when the Catron County Commission passed an ordinance calling for the arrest of any federal agent who violated the civil rights of residents. It was a bold thrust for a place defended by just six law enforcement officers. It was so controversial that the Forest Service threatened to summon federal marshals, and the sheriff at the time said he would not enforce it. But he lost the next election and his successor, Bob Wellborn, an imposing man known hereabouts as Scarface, took a different approach. ‘With a warrant issued by a judge I would arrest anyone,’ he said.” [Los Angeles Times, [4/4/94](http://articles.latimes.com/1994-04-04/news/mn-42082_1_catron-county)]

**2003: Karen Budd-Falen Stated Ranchers Were at “War” With Federal Government.** “Worried about the future of ranching in the West, more than 100 people rallied outside the Bureau of Land Management office here Monday. The purpose was to draw attention not only to frustrations with the Worland BLM office but also to voice larger concerns that the federal government’s actions threaten a way of life, according to many who attended. ‘There’s no question we are in a war and if we don’t stand up and be counted, we’re going to lose that war,’ said Karen Budd-Falen, a Cheyenne-based attorney who often represents ranchers and farmers in disputes with the government.” [Billings Gazette, [11/9/03](http://billingsgazette.com/news/state-and-regional/wyoming/unhappy-ranchers-blame-blm/article_488cb9f7-7516-5505-baf3-890294744f59.html)]

**2013: Budd-Falen Believed Citizens Should Be Able to Sue Individual Federal Employees.** “Karen Budd-Falen, a property rights attorney from Cheyenne, Wyo., said yesterday’s witnesses brought ‘compelling and heartfelt’ stories of government abuse. She argued that citizens should have the opportunity to sue individual federal employees, similar to how state and local government employees can be sued under the Civil Rights Act. ‘While some may claim that we are here to ask Congress to eliminate the federal bureaucracy or the federal agencies, we are not,’ she said. ‘What we are asking for you to do is open the courthouse door to individuals who believe that their civil and constitutional rights are being violated by individual federal employees, using the power of their offices.’” [E&E News, [10/30/13](https://www.eenews.net/eedaily/stories/1059989651)]

### Sued Federal Public Land Agencies At Least 7 Times

**1989: Karen Budd-Falen Represented Cliven Bundy and Neighbors in Lawsuit Against U.S. Fish and Wildlife Service Over Deseret Tortoise.** “On Aug. 4, 1989, the U.S. Fish and Wildlife Service published an emergency rule listing the Mojave population of the desert tortoise as endangered. This started a chain of events that brought Cliven Bundy, the Bureau of Land Management and the desert tortoise to headlines around the country 25 years later. Karen Budd-Falen, an attorney who specializes in environmental law and property rights, represented Cliven Bundy and his neighbors in a lawsuit when the USFWS issued the decision that required the BLM to revoke the ranchers’ grazing rights.” [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

* **Karen Budd-Falen: “When The Desert Tortoise Was Listed, The USFWS Said To The BLM That You Have To Eliminate Livestock Grazing In Southern California, Nevada And Arizona. These Are Not Normal Grazing Permits In Southern Nevada. These Are Ephemeral Permits.”** [Tri-State Livestock News, [5/19/14](http://www.tsln.com/news/bundy-beginnings/)]

**2000: Budd-Falen Filed Class Action Lawsuit against US Forest Service Contending that Forest Service Improperly Released Financial and Other Personal Information Covered by Privacy Act.** “A class action lawsuit has been filed against the U.S. Forest Service and regional foresters over the release of information about ranchers to an environmental group. Attorney Karen Budd-Falen of Cheyenne filed the action on Aug. 11 in federal court. As many as 2,700 ranchers across the West could be covered by the lawsuit, Budd-Falen said. The suit contends that Forest Service improperly released financial and other personal information covered by the Privacy Act. The information was contained in so called escrow waivers. Under that escrow waiver program, ranchers who own private land may use their grazing permits on adjoining public land as collateral for bank loans. Forest Guardians, a New Mexico-based environmental group, sought the information under the Freedom of Information Act in an effort to determine ranchers' use of public-land grazing permits as loan collateral. Because Forest Service records are outdated, the number of affected ranchers has yet to be determined, said Jim Magagna, executive director of the Wyoming Stock Growers Association.” [AP, 9/2/00]

**2005: Budd-Falen Sued BLM Over Drilling Pollution.** The 32,000 acres of public land that Ms. Blancett and her husband, Linn, have long used for grazing cattle is now riddled with gas wells and pipelines. Petroleum byproducts have poisoned the water, she said, killing animals and causing the fertility rate to plummet. The couple has hired Karen Budd-Falen, one of the best-known lawyers in fights over federal land policies. They have sued to try to force the federal Bureau of Land Management to clean up the land. Ms. Budd-Falen got her start working against environmental restrictions with the Mountain States Legal Foundation, an intellectual incubator for such property rights stalwarts as James Watt, the former interior secretary under President Ronald Reagan. A prominent Republican from Cheyenne, Wyo., Ms. Budd-Falen said the drilling boom had turned the political world upside down in the West, home to the sagebrush rebellion of the 1970’s and other later battles against federal government restrictions on development of public land. Now property owners, ranchers and home builders are worried about overdevelopment. ‘I’m amazed at the number of calls we’re getting from landowners who are really frustrated with what’s going on,’ Ms. Budd-Falen said.” [New York Times, [6/22/05](http://www.nytimes.com/2005/06/22/us/drilling-in-west-pits-republican-policy-against-republican-base.html)]

**2007: Budd-Falen Represented Rancher Frank Robbins in Case against BLM that Accused Employees of Undertaking Damaging Regulatory Actions against Him to Extort a Land Easement on His Property for the Agency.** The case began asa “dispute between Wyoming rancher Frank Robbins and the Bureau of Land Management, in which Robbins accused six BLM employees of undertaking damaging regulatory actions against him to extort a land easement on his property for the agency. The defendants are represented by the Department of Justice. Federal employees generally enjoy ‘qualified immunity’ as they carry out their duties, but it is not an absolute protection. Wilkie is being watched with some anxiety by feds worried that a ruling unfavorable to the government may make them more vulnerable to lawsuits… A similar view was expressed by Robbins' Wyoming attorney, Karen Budd-Falen, who earlier told FEDHR the case was exceptional. ‘This case is going to be argued narrowly on the facts specific to it,’ she said.” [Federal Human Resources Week, 4/2/07]

* **In Unanimous Ruling, Supreme Court Ruled Wyoming Rancher Couldn’t Use Federal Racketeering Law to Seek Damages against BLM Employees He Accused of Harassment.** “Wyoming rancher cannot use the federal racketeering law to seek damages against employees of the U.S. Bureau of Land Management whom he accused of harassment, the Supreme Court ruled…The unanimous decision reversed a federal appeals court ruling.…Robbins' longtime attorney, Karen Budd-Falen, said: ‘The Supreme Court majority was not interested in justice for the individual; rather, it was concerned that its decision would open the floodgates of litigation. The majority's decision gives those few unscrupulous federal employees the unlimited ability to harass private citizens without recourse.’” [Los Angeles Times, 6/26/07]

**2010: Karen Budd-Falen Represented Hugh McKeen in a Lawsuit Against the Forest Service.** [McKeen vs. U.S. Forest Service, [8/2/10](https://www.courtlistener.com/opinion/158450/mckeen-v-us-forest-service/)]

**2015: Karen Budd-Falen Sued to Rollback Mexican Gray Wolf Protections.** “Budd-Falen has no more love for larger, furrier animals, either. In 2015, she sued the U.S. Fish and Wildlife Service, demanding a rollback of protections for the Mexican gray wolf. She has also argued for the right of ranchers to kill more wolves.” [Salon, [7/18/17](http://www.salon.com/2017/07/18/karen-budd-falen-the-bundy-familys-lawyer-may-be-trumps-pick-to-manage-federal-lands/#.WW4wTChg0dY.twitter)]

**2007: Federal Judge Dismissed Lawsuit Brought by Budd-Falen Aimed at Opening a Fragile Canyon Streambed in Death Valley to Off-Road Enthusiasts.** “A federal judge has dismissed a lawsuit aimed at opening a fragile canyon streambed in Death Valley to off-road enthusiasts, parties in the case said. U.S. District Judge Lawrence J. O'Neill dismissed the lawsuit, brought by property owners and off-roaders, citing a lack of jurisdiction. The lawsuit pitted the rights of property owners against environmentalists, who successfully got the canyon closed to motorized vehicles more than five years ago. The canyon is home to a stunning desert oasis. In response to the closure, more than 80 off-roaders purchased tiny pockets of private property at the top of the federally owned canyon and sued for access to the land through the streambed. They dusted off a Civil War-era mining law that placed the public access rights of local governments and private individuals above the rights of the federal government. Environmental groups in the case said they were relieved by the ruling… An attorney for the off-roaders, Karen Budd-Falen, said they had not decided whether to appeal. They have two months to decide, she said.” [AP, 7/28/07]

**2011: Budd-Falen: “There Are Several Types Of Debt For Nature Programs Being Used To Exert The Opinions Of A Small Group Of Radical Environmentalists Who Believe That ‘Nature Is More Important Than People.’”** “There are several types of Debt for Nature programs being used to exert the opinions of a small group of radical environmentalists who believe that ‘nature is more important than people.’ Debt for Nature was modeled after a program started in the early 1990s called Enterprise for the Americas Initiative (EAI). Under EAI, the U.S. restructured, and in one case sold, debt owed to the American taxpayers by Latin American countries equivalent to a face value of nearly $1 billion. Basically the U.S. Treasury forgave or restructured monetary debt owed to American taxpayers for the Latin American country’s adoption of certain social and property use goals related to environmental, natural resources, health protection, and child development projects.” [Beef Magazine, [2/10/11](http://www.beefmagazine.com/cowcalfweekly/0210-government-trades-debt-for-nature)]

### Fought Black-Footed Ferret Reintroduction

**Budd-Falen Represented Ranchers in Case Against Prairie Dog Reintroduction.** “Landowners near the Thunder Basin National Grassland in northeast Wyoming are urging federal officials to abandoned plans of reintroducing black-footed ferrets into the region. The Laramie Boomerang reports a representative of ranchers asked state lawmakers at the Federal Natural Resource Management Committee meeting last week to push federal officials for greater prairie dog management. Ferrets prey upon prairie dogs, requiring large numbers to sustain a population. Attorney Karen Budd-Falen, who represented the ranchers, says prairie dogs have caused loss of forage, causing ranchers to reduce livestock herds. Tyler Abbott, a supervisor for the U.S. Fish and Wildlife Service in Wyoming, says ferret reintroduction is not possible until there is greater support from the community and improvement of habitat.” [Associated Press State & Local, 9/5/18]

**Budd-Falen: “It’s Totally An Untenable Situation For These Ranchers.”** “Budd-Falen urged legislators Wednesday to push federal officials to drop their ferret hopes in favor of greater prairie dogs management. ‘It’s totally an untenable situation for these ranchers,’ she said. The prairie dog infestation means a loss of forage and Budd-Falen said landowners have drastically reduced their livestock herd as result. In 2016 and 2017, Budd-Falen estimates the Thunder Basin prairie dogs cost ranchers $1.4 million.” [Laramie Boomerang, 9/2/18]

### Believed Antiquities Act Was “Significantly Abused”

**Budd-Falen Believed Antiquities Act Was “Significantly Abused.”** “Budd-Falen also endorsed legislation authored by House Natural Resources Chairman Rob Bishop (R-Utah) that aims to overhaul the Antiquities Act of 1906, the law under which presidents can establish national monuments. Bishop’s proposed bill, which could see a vote on the House floor early next year, would significantly curb existing presidential authority under the law by enacting limits on the size of new monuments, as well as requiring local and state approval for some sites (Greenwire, Nov. 2). Budd-Falen said she agrees that the current law ‘was significantly abused,’ echoing Interior Secretary Ryan Zinke’s criticism that many of the existing monuments, including Utah’s Bears Ears and Grand Staircase-Escalante monuments, are too large. ‘If you read the Antiquities Act, it says you are to designate the smallest area possible to protect the artifact you are trying to protect. I looked at Bears Ears and Grand Staircase-Escalante, surely that’s not the smallest area possible to protect these things,’ Budd-Falen said. ‘So, I’m not convinced that those were even lawful to designate.’” [Greenwire, 11/22/17]

**Budd-Falen Called for More Local Involvement in Monument Designations.** “In another response, when asked about the future of national monument creation, Budd-Falen similarly called for more involvement by city or county officials in federal planning. ‘I think that local governments need to take these opportunities to be more involved. I think that too many decisions are coming out of Washington that aren’t considering people in Ravalli County or Sublette County or Laramie County [in Wyoming], or wherever it is you’re from,’ she said. ‘I think there ought to be significantly more involvement.’” [Greenwire, 11/22/17]

## County Supremacy and Conspiracy Theories

**2004: High Country News: Budd-Falen “A Darling of the Original Sagebrush Rebellion.”** [High Country News, 12/6/04]

**2004: Karen Budd Believed Treaty of Guadalupe Hidalgo Required the Federal Government to “Recognize the Customs and Usages” of Former Mexican Citizens.** “The Treaty of Guadalupe Hidalgo contains ambiguous statements indicating that the U.S. government would, according to Budd, ‘recognize the customs and usages’ of former Mexican citizens.” [Outside Magazine, [5/2/04](https://www.outsideonline.com/1832686/wayward-west-liberty-and-firepower-all)]

**2011: Karen Budd Falen Spoke at Agenda 21 Workshop Sponsored by Americans for Prosperity and I Spy on Salem.** “Karen Budd-Falen is a land-use and private property rights attorney based in Cheyenne, Wyoming, and represents private property owners, ranchers and farmers. She served three years in the Interior Department under Reagan and upon her return to Wyoming has become a strong advocate for our Constitutionally guaranteed property rights and is a formidable force exposing radical environmentalists’ abuse and manipulation of the legal system. Topic: Karen will focus on the abuse of the Endangered Species Act, the methods environmental extremists fund themselves at our expense, including Debt for Nature Swaps. Building on Tom’s lecture, Karen will expose how one aspect of Agenda 21 becomes the foundation to lock up land and remove it from public use.” [Our Klamath Basin Water Crisis, accessed [9/14/17](http://www.klamathbasincrisis.org/notices/2011/agenda21workshop092111.htm)]

**2014: Karen Budd-Falen Believed Utah’s Land Transfer Legislation Could be Constitutional.** “States have also jumped in, passing laws that would transfer the control of some of the federal lands to the states. In 2012, state Rep. Ken Ivory of Utah helped pass a bill that would require the federal government to transfer the land to Utah by the end of this year. If the government doesn’t comply, which looks likely, the state plans to file a lawsuit. While previous attempts in land transfer have been shot down in the courts, Budd-Falen believes Ivory’s law could stand a chance constitutionally. Ivory bases his argument on the Doctrine of the Equality of States and claims that the Western states did not come into the union on an equal footing as states in the East since the government did not dispose of the land within their borders. Six other states—Arizona, Wyoming, New Mexico, Colorado, Nevada, and Idaho—have also pushed for the government to return millions of acres of public land.” [World Magazine, [11/29/14](https://world.wng.org/2014/11/long_land_battle)]

**2017: Crook County Tried to Adopt Policy Giving County Veto Power Over Federal Land Management Decisions.** “People who supported the aims but not the tactics of last year’s armed takeover of the Malheur National Wildlife Refuge think they’ve found a way to gain a greater degree of local control over federal lands. Last week, the Crook County commissioners adopted a Natural Resources Policy that asserts a doctrine of ‘coordination’ based on federal law. The doctrine would give the counties what amounts to veto power over federal land management decisions.” [Herald And News, 11/21/17]

* **Budd-Falen Was Chief Legal Theorist Behind the Plan.** “Baker County in Eastern Oregon and Owyhee County in Idaho have approved similar policies, and the idea seems likely to spread. Its chief legal theorist is Wyoming attorney Karen Budd-Falen, who visited the Crook County seat of Prineville last March. ‘The federal statutes are so broad that it’s actually not that hard to write a local land use plan that is completely in line with federal statutes,’ The (Portland) Oregonian quoted her as saying. Budd-Falen was a member of President Trump’s transition team, and her name is mentioned as a potential nominee to lead the BLM. Even as head of the BLM, Budd-Falen would be stymied in any attempt to surrender much of her agency’s authority to local governments. In a landmark 1987 decision, Granite Rock vs. California Coastal Commission, the Supreme Court upheld federal supremacy in the management of federal lands. Neither the White House nor Congress is likely to pursue an erosion of this supremacy whether they favor preservation or exploitation of natural resources on public lands, the executive and legislative branches don’t want their priorities vetoed at the local level.” [Herald And News, 11/21/17]

### Joint Appearances

**Karen Budd-Falen and Todd MacFarlane Were Scheduled to Speak at Range Rights and Resource Symposium.** [Facebook, [5/2/17](https://www.facebook.com/ProtectTheHarvest/photos/a.179760862130894.40913.119216091518705/1279248418848794/?type=3&theater)]

* **Todd McFarlane Was An Attorney-Liaison For The Malheur Occupiers; Said Arrival Of New Gun-Totting Militiamen Was An “Unwelcome Development.”** According to an article in the Christian Science Monitor, “According to the original militia’s spokesmen, Mr. Bundy and other leaders had no idea about these new arrivals. Spokesman LaVoy Finicum told the newcomers – some holding semi-automatic rifles – that they do not want the further presence of guns at the refuge, as the group is trying to minimize conflict. ‘Ammon felt blindsided,’ Todd McFarlane, an attorney and liaison for the militia, told The Guardian. ‘This was not a welcome development. We are trying to de-escalate here – then boom, they all show up.’” [Christian Science Monitor, [1/10/16](http://www.csmonitor.com/USA/USA-Update/2016/0110/Oregon-militia-elicits-rural-supporters-including-unwanted-ones-video)]
* **MacFarlane Represented Fringe Groups in the Past.** According to a report by the Anti-Defamation League, “MacFarlane has represented fringe groups or figures in the past; in 2003, he was the attorney for a member of a Mormon polygamous group charged with conspiracy and sexual assault—until the man engaged with a standoff with police, following which MacFarlane dropped him as a client. In 2000, MacFarlane represented a group of ranchers who ‘liberated’ cattle that had been seized by the BLM and placed at an auction house.” [Anti-Defamation League, accessed [1/19/15](http://www.adl.org/assets/pdf/combating-hate/Anatomy-of-a-Standoff-MalheurOccupiers.pdf)]

**Karen Budd-Falen Spoke at Constitutional Sheriff Events.** “He pointed to Budd-Falen’s more recent appearances before groups like the Constitutional Sheriffs and Peace Officers Association. In 2011, she appeared at an event called ‘Sheriffs Stand Tall for the Constitution’ along with sheriffs from Oregon and California. During the event, Budd-Falen encouraged attendees to challenge the federal government by asking what laws agencies are relying on for their decisions.” [E&E News, [6/16/17](https://www.eenews.net/greenwire/stories/1060056171/search?keyword=karen+budd)]

* **Constitutional Sheriffs and Peace Officers Association Participated in Bundy Ranch and Other Standoffs.** “Since Cliven Bundy summoned militias and anti-government activists to Nevada in 2014, a complex web of extremist groups has been actively organizing and carrying out the recent armed takeovers of public lands, including the assault on the Malheur NWR. These groups include the III Percent Patriots; the Constitutional Sheriffs and Peace Officers Association, or CSPOA; the Pacific Patriots Network; Oath Keepers; People For Constitutional Freedom, or PFC; and Operation Mutual Aid.” [Center for American Progress, [3/24/16](https://www.americanprogress.org/issues/green/reports/2016/03/24/133730/congress-should-confront-the-rise-of-violent-extremism-on-americas-public-lands/)]
* **County Sheriffs Believed They Were the Supreme Law of the Land.** “Among those officials are a growing cadre of county sheriffs, many of them from the rural West, who believe themselves above the reach of federal government, constitutionally empowered as the supreme law of the land. Some have chosen to become part of this movement, while others have joined unwittingly, by taking strong political stances or acting on the behalf of local anti-government movements. Eldredge, who refused to be interviewed for this story, openly allied himself with Lyman and company. These self-proclaimed ‘constitutional sheriffs’ use their assumed position as the ultimate law enforcement authority to fight environmental regulation, run federal officials out of their counties, and, in some cases, break the law themselves.” [High Country News, [2/2/16](http://www.hcn.org/issues/48.2/the-rise-of-the-sagebrush-sheriffs)]

**2011: Karen Budd-Falen Spoke Alongside Grant County Sheriff Glenn Palmer.** [YouTube, [10/29/11](https://www.youtube.com/watch?v=e4RuWK2Ww-4&feature=youtu.be)]

* **Glenn Palmer Sympathized With Malheur Occupiers, Became “Heroic Figure Among The Activists and Their Supporters.”** “Palmer, 54, might have remained an obscure local sheriff but for the takeover of the Malheur National Wildlife Refuge in January. He publicly sympathized with the armed militants and became a heroic figure among the activists and their supporters. His advocacy burnished his reputation as a ‘constitutional sheriff’ - one of a small band of law officers who believe the Constitution makes them supreme and the federal government subservient. ‘You are not kicking us off our public lands,’ he declared in a 2012 speech. ‘No more. It’s got to stop.’ Such populism won Palmer re-election three times, but the sheriff has now reached a crossroads. He’s the target of a state criminal investigation for allegedly tampering with public records. He faces a separate administrative review stemming from 11 complaints lodged with the state agency that licenses police officers.” [Oregonian, [12/6/16](http://www.oregonlive.com/oregon-standoff/2016/08/sheriff_glenn_palmer_makes_his.html)]
* **Glenn Palmer Got Pocket Constitution Signed by Arrested Malheur Occupation Leaders.** “While some of the complaints were filed confidentially, as permitted by law, one was made by John Day Police Chief Richard Gray, who wrote on Feb. 5 that Palmer was seen spending time on the clock with occupiers of the Malheur National Wildlife Refuge in Burns. Grant County neighbors Harney County, where the wildlife sanctuary is located. Gray also claimed that Palmer in January spent more than three hours having lunch with two members of the occupation, Jon Ritzheimer and Ryan Payne, who are now both jailed on federal conspiracy charges. Ritzheimer later told The Oregonian that Palmer asked the pair to autograph his pocket version of the Constitution. ‘The sheriff has a practical plan for helping unravel the federal government,’ Payne told the newspaper.” [NBC News, [3/19/16](https://www.nbcnews.com/news/us-news/embattled-sheriff-glenn-palmer-linked-oregon-occupiers-under-scrutiny-n541371)]

**Karen Budd-Falen Defended Hammond Family Who Illegally Burned 140 Acres.** “Property rights attorney Karen Budd-Falen from Cheyenne, Wyoming, agrees. ‘What totally amazes me is what these guys did – they burned 140 acres. If you compare that to the EPA spill in Colorado, it amazes me that nothing will happen to those EPA employees. You have cities down there with no drinking water. The Hammonds didn’t do anything like that,’ Budd-Falen said.” [Tri-State Livestock News, [10/29/15](http://www.tsln.com/news/where-theres-smoke/)]

## Background

**Budd-Falen Was a Wyoming Property Rights Attorney Who Worked on Trump Transition Team.** “Karen Budd-Falen, a Wyoming-based property rights attorney and member of the Trump administration’s transition team at the Interior Department, is in the running to take the helm of the Bureau of Land Management, according to sources in both the conservation movement and ranching industry. A White House spokeswoman declined to confirm that President Trump has decided on a nominee for the post. Sources familiar with the selection said it would be unlikely to be made official until after Trump’s nominee for deputy secretary of the Interior, David Bernhardt, is confirmed. In the meantime, Utah state Rep. Mike Noel (R), who heavily promoted his own interest in the BLM post after the November elections, praised the potential selection of Budd-Falen.” [E&E News, [6/16/17](https://www.eenews.net/greenwire/2017/06/16/stories/1060056171)]

**Budd-Falen Was Tapped to Lead BLM.** “When Karen Budd Falen served on the Trump Transition Team on interior issues and was tapped for the top job at the Bureau of Land Management, she knew some concessions would have to be made. After the FBI background check was completed, she was asked to leave her post at the Cheyenne, Wyo., law firm she and her husband, Frank Falen, founded. It was something she was willing to do because she knew the importance of the position and how she would be able to help agriculture, especially in the West.” [Fence Post, [10/12/18](https://www.thefencepost.com/news/budd-falen-takes-position-in-interior-department-as-deputy-solicitor-for-wildlife-and-parks/)]

**Budd Falen Hired as Deputy Solicitor for Wildlife and Parks; Planned to Work on ESA, NPS, and National Monument Issues.** “Budd Falen was then offered the position of deputy solicitor for wildlife and parks, which she accepted. She said she will work on issues relating to the Endangered Species Act, the National Park Service, wildlife refuges and national monuments. But, she said, she will not sell the ranch.” [Fence Post, [10/12/18](https://www.thefencepost.com/news/budd-falen-takes-position-in-interior-department-as-deputy-solicitor-for-wildlife-and-parks/)]