



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Washington, D.C. 20240  
<http://www.blm.gov>

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Mr. Steven M. Tullberg  
Indian Law Resource Center  
601 E Street, SE  
Washington, D.C. 20003-2713

RECEIVED

BY:.....

Dear Mr. Tullberg:

Secretary of State Colin Powell has forwarded to the Department of the Interior your letter regarding the Bureau of Land Management's (BLM) impoundment of livestock owned by Mary and Carrie Dann. The BLM has been asked to respond.

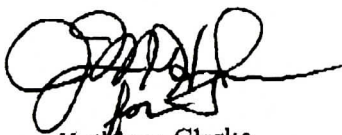
Your letter requests that no further impoundment of the Danns' livestock occur, in light of a recent report issued by the Inter-American Commission on Human Rights pertaining to human rights violations alleged by the Danns (Rep. No. 75/02, Case No. 11.140).

Although the Commission's report found that the exhaustive legal proceedings before the Indian Claims Commission and the U.S. Federal courts in connection with the Danns' claims to Western Shoshone aboriginal lands in Nevada violated certain principles of international human rights law, the United States has rejected the Commission's findings as erroneous. As explained more fully in the enclosed United States' response to a preliminary version of the Commission's report, there is little question that the Western Shoshone land claims have been litigated to finality in the U.S. courts. The Dann sisters have been allowed full and informed participation in the determination of their claims and those of the Western Shoshone to the lands at issue and afforded due process and resort to the courts in an equal, fair, and meaningful way. Although the Danns were ultimately unsuccessful in pressing their claims in the U.S. courts, that simply does not equate to a violation of their human rights.

For these reasons, the BLM cannot agree that the Commission's report is a basis for halting any actions to impound the Dann sisters' livestock, which have been grazing on the public lands for years without the required permits. To the contrary, the BLM has an obligation to take all appropriate and necessary actions to ensure that the Danns do not damage the public lands by their continuing trespass. Nor should these impoundment actions be interpreted as "threats" to the Western Shoshone people, as your letter suggests. There are many Western Shoshone ranchers who graze livestock on the public lands under BLM permits, and enforcing the laws equally against all trespassers benefits them and all other ranchers who graze their livestock in compliance with the Federal grazing laws and regulations.

Finally, with respect to your request that departmental representatives engage in good faith negotiations to resolve these issues, you should be aware that BLM has tried repeatedly for years to work out a settlement with the Danns, unfortunately, with no success. While the BLM always remains open to settlement discussions, it seems unlikely that such discussions would be fruitful under the circumstances.

Sincerely,



Kathleen Clarke  
Director

Enclosure