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# Bundy to Biden: Stay away from my cattle

[Jennifer Yachnin](#), E&E News reporterPublished: Friday, January 15, 2021

Rancher Cliven Bundy has vowed to "walk towards guns" if the incoming Biden administration tries to collect on unpaid grazing fees and other fines. Mike Blake/REUTERS/File Photo/Newscom

Nevada rancher Cliven Bundy is vowing to once again "walk towards guns" should the incoming Biden administration attempt to collect on more than two decades of debt from trespass fines and unpaid grazing fees.

Bundy, who came to national attention in 2014 when he rallied armed supporters to his Bunkerville ranch to block the government's attempted roundup of his cattle, made the remarks Saturday in an [interview](#) with radio host Pete Santilli.

"The Bundy ranch saga will continue, won't it? Do you believe so? Do you believe that they'll come after you?" asked Santilli, who stuck a plea deal over his own role in the Nevada standoff ([Greenwire](#), Oct. 9, 2017).

"Yes, I do," Bundy replied. "They've been waiting for this ... but it's not only for Bundy ranch; it's for all Americans. We're in trouble if it changes."

He later added: "We're going to have to go forward. If we have to walk forward towards guns, which we did at the Bundy ranch, we have to do that. And we have to have faith."

Whether the Biden administration, which has named New Mexico Rep. Deb Haaland (D) as its nominee to lead the Interior Department, will opt to address the 74-year-old rancher and scofflaw remains an open question.

Some public lands advocates suggested privately to E&E News that the newest White House occupant and his team will have more pressing issues to attend to following next week's inauguration — like rolling back the impacts of President Trump's "energy dominance" agenda and efforts to weaken the National Environmental Policy Act.

But Western Watersheds Project Executive Director Erik Molvar asserted that last week's riot at the U.S. Capitol, which resulted in the deaths of five individuals including a Capitol Police officer, could reinvigorate the government's interest in tamping down on Bundy's continued defiance.

"The lax law enforcement on public lands can be seen as a direct line to the lawlessness we saw in the Malheur National Wildlife Refuge, Recapture Canyon in Utah and now in Washington,

D.C.," Molvar said, referring to the 2016 wildlife refuge occupation that involved two of Bundy's sons and to an illegal all-terrain vehicle protest ride in the canyon in 2015.

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Western Watersheds Project Executive Director Erik Molvar

He added: "The failure of the federal government to crack down on law on public lands has created a class of insurrectionists who feel entitled to break the law whenever they want."

Bundy was not in Washington during last week's events at the Capitol, but did praise the rioters in a statement issued on Facebook ([Greenwire](#), Jan. 7).

"If we continue to allow these very highly publicized violations of public laws and public lands, then it's going to become a free-for-all out there," Molvar said, highlighting new irrigation infrastructure that Cliven Bundy's son Ryan Bundy built across Gold Butte National Monument last spring.

He added: "There will be no semblance of law and order on federal public lands, and that will be a major disservice to all Americans."

BLM's Southern Nevada District Office acknowledged it was reviewing a complaint about the irrigation project last year, but spokesperson John Asselin said Tuesday he could not provide an update on the matter ([Greenwire](#), May 13, 2020).

Molvar also pointed to individuals like New Mexico rancher Craig Thiessen, who lost his grazing permit in the Gila National Forest after pleading guilty to knowingly taking threatened wildlife. He fatally struck a 10-month old wolf pup with a shovel in 2015 ([Greenwire](#), July 11, 2019).

Western Watersheds is also embroiled in a lawsuit with the Forest Service over excessive grazing and trespass issues on Monroe Mountain in south-central Utah ([Greenwire](#), Nov. 19, 2019).

Public Lands Council Executive Director Kaitlynn Glover told E&E News that Bundy should not be conflated with the "taxpaying, law-abiding" ranchers her organization represents.

"We do not support unlawful activities or calls for violence," Glover said. "The ranchers we represent who graze livestock on public lands pay their grazing fees, follow the rules, and cherish the responsibilities of stewarding America's public lands. They expect other ranchers to do the same."

She added: "Do not mistake those who have anti-American sentiments as representatives of our community just because they wear a cowboy hat. "

## **'Obvious tactics'**

But given the Bureau of Land Management's reticence to stage another roundup of the scofflaw rancher's cattle — after all, the last effort resulted in an armed standoff and then a disastrous prosecution effort in federal court — what exactly might the Biden administration attempt?

"The Biden administration can keep on ignoring the problem and letting it fester ... or it can decide to solve the problem. It shouldn't be that difficult," Molvar said.

Opponents of Bundy's continued use of public lands suggested the Biden administration might pursue more bureaucratic efforts than its predecessors did: Those options include bench warrants holding Bundy in contempt of court for trespassing and refusing to pay federal grazing fees.

The federal government could also seek a lien on Bundy's property — such as the cattle he often auctions at the Cedar City, Utah-based Cedar Livestock Market — to pay off his federal government debt ([Greenwire](#), Sept. 17, 2020).

"It boggles the mind why these obvious tactics have not been used, and even why BLM kept planning these huge, all-or-nothing roundups," said Richard Spotts, who spent 15 years as the planning and environmental coordinator for BLM's Arizona Strip District before his retirement.

Issuing liens on Bundy's cattle would at the very least "take the profit motive out of trespass grazing," Spotts explained. The government could also seek to challenge Bundy's real or personal property.

Although Bundy grazes his cattle on public lands — including the former Bunkerville Allotment, which is now included in Gold Butte National Monument — the rancher has refused to pay federal grazing fees since 1994, and lost a court battle with the government in 1998 that incurred trespass fees for his continued defiance.

When BLM attempted to seize Bundy's herd for auction in 2014, he owed an estimated \$1 million to the federal government.

Spotts noted that BLM has previously used smaller-scale tactics to successfully end previous conflicts, pointing to father-and-son ranchers Wally and Barry Klump in Arizona.

The duo illegally grazed their cattle on public lands in southeast Arizona's Dos Cabezas Mountains despite a 2002 trespass ruling. The elder Klump was jailed for contempt and spent a year in confinement before agreeing to cull his herd and earn his release ([Greenwire](#), March 4, 2016).

"The thing is, whether good or bad, he's sort of the symbolic head, at least when it comes to trespass grazing," Spotts said.

But unlike Klump, Bundy has already spent two years in federal prison. He was arrested in 2016 — en route to supporting his sons who were occupying the Malheur National Wildlife Refuge in

Oregon to protest the incarceration of two other ranchers — and remained confined while awaiting trial over his role in the Nevada standoff.

But Bundy walked free from that case in 2018 after U.S. District Court for the District of Nevada Chief Judge Gloria Navarro declared a mistrial because government attorneys had withheld key information from defendants. The 9th U.S. Circuit Court of Appeals upheld that ruling last year and rejected the government's request for a new trial ([Greenwire](#), Aug. 6, 2020).

Had the government prevailed in its case against Bundy, it indicated in its indictment that it could look to seize up to \$3 million via criminal asset forfeiture, listing the rancher's cattle as well as firearms and ammunition ([Greenwire](#), Nov. 20, 2017).

### **'Shell game'**

It's not only the federal government that could aim to collect from Bundy in the near future: The anti-government activist owes the Center for Biological Diversity \$92,000 for legal fees.

Nevada state Judge Jim Crockett awarded the payment for attorneys' fees to the environmental organization last year, in connection to a lawsuit Bundy filed seeking to force the federal government to turn over ownership of 56 million acres of public lands to state and local control.

CBD attorneys intervened in the case, in which Bundy argued that only individual states and not the U.S. government may own land. In his ruling against Bundy, Crockett criticized the lawsuit as "simply delusional" ([Greenwire](#), April 10, 2019).

Following the ruling, CBD Executive Director Kierán Suckling told E&E News that his organization was weighing whether to seek a lien against Bundy's ranch on the Virgin River ([Greenwire](#), July 30, 2020).

But in a statement this week, Suckling said a decision on how to procure the funds remains under review, noting that much of Bundy's land is secured by trusts run by his children.

"We don't think this shell game actually works to shield them, but are researching," Suckling noted.