



PEERReview

A Publication of Public Employees for Environmental Responsibility

America's Ailing Overgrazed Rangelands

The latest figures from the U.S. Bureau of Land Management (BLM) paint a bleak picture of the ecological health of America's public rangelands. Vast areas do not meet BLM's own Land Health Standards for minimum quality of water, vegetation, and soils, as well as the ability to support wildlife. The biggest cause is systematic overuse by commercial livestock.

The PEER analysis looked at records from 2019 through 2023 of more than 21,000 BLM grazing allotments in ten western states. More than 56 million acres (an area larger than Idaho) fail BLM Land Health Standards. Livestock is identified as the major cause of failure for at least 37 million acres (an area bigger than Florida), making overgrazing by far the biggest cause of landscape health failure across the West.

"Simply put, much of the land in the American West is degraded by animal agriculture," remarked Rocky Mountain PEER Director Chandra Rosenthal, noting a roughly one-to-one ratio for each acre of rangeland classified as meeting all standards and those failing. "By its own measures, BLM does not deserve passing marks on its main job – land management."

Notably, another 38 million acres do not have completed assessments. This lack of assessments may mask even more extensive landscape damage, especially in a state like Nevada,



PHOTO: BLM

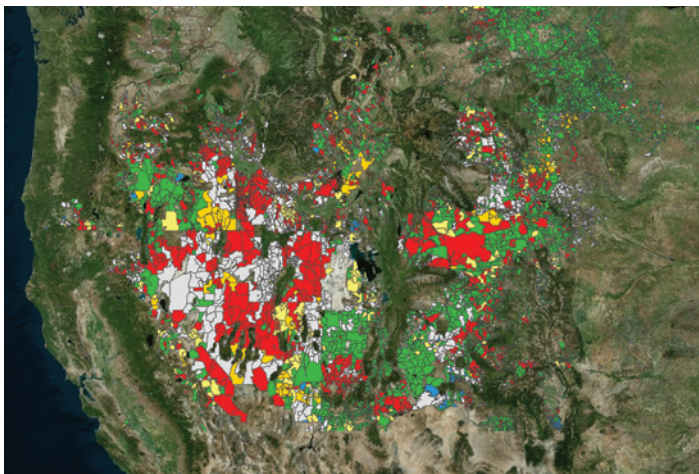
Huge Hoofprints. An estimated 1.5 million cattle forage 150 million acres of BLM lands.

which has the biggest slice of public range among any state. For each acre found to be meeting minimum Land Health Standards, more than three acres of Nevada are failing. Nevada also has the biggest share of unassessed range.

"These are figures that BLM does not make public," added Rosenthal, pointing out that PEER has had to compile this information through extensive Freedom of Information Act requests, some of which entailed litigation, to pry these records out of BLM.

A comparison of the new data versus pre-2019 BLM records compiled by PEER shows some slight positive change, but overall half of the assessed lands failed minimum health standards during both periods. One big reason for the lack of improvement is that BLM continues to renew unmodified grazing permits for failing allotments.

PEER and allied groups are now suing BLM to stem overgrazing across huge stretches of fragile rangelands in the American West. Among other relief, the suit seeks a court order establishing a schedule for completion of long overdue environmental analyses on thousands of commercial allotments. We need a paradigm shift in how we manage our public rangelands, starting with holding livestock operators accountable for the environmental damage they cause.



Not a Good Look. Approximately half of all BLM acres assessed are in failing health (in red).



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PEERreview is the quarterly newsletter of Public Employees for Environmental Responsibility

FROM THE EXECUTIVE DIRECTOR

Dear Friend,

Summer is upon us. While many of our staff will take time off to enjoy a vacation with their families and friends, it will also be one of our busiest times of the year.

From June 20 to September 20, we are rolling out our Double Trouble Campaign to raise \$60,000. Thanks to the generosity of a longtime supporter, all contributions to PEER will be matched 1:1 or 2:1 for new or increased donations. Want to learn more? See page 11 for more details. Your support is greatly appreciated!

We are also preparing for one of the most consequential elections in our nation's history. While PEER is a non-partisan organization that does not take positions on presidential elections, we certainly do engage in objective analysis of different administrations, which can help inform voters on issues that are important to them.

Next month, we will issue a short paper titled Trump vs. Biden: Federal Governance. This paper will compare how the two administrations have performed in different areas of governance, from scientific integrity to civil service protections. We will also examine the promises and visions of the different campaigns.

The contrasts between these two administrations couldn't be starker.

This is also why we are hitting the accelerator on much of our legal and regulatory work. We will spend this summer ramping up action to file our cases, push federal agencies to grant our information requests, and reply to our many petitions to strengthen environmental rules, especially in case there is a new administration in 2025.

You will see a slew of activity from PEER in the next few months, advancing our work on public lands, climate, toxic chemicals, and telecommunications. We will also continue to build off our successes in working to strengthen scientific integrity policies (see EPA Union Bargains for Integrity on page 3 for an important victory) and civil service protections.

PEER accomplished so much in the past year, and we have much more to do. We will certainly enjoy our summer season, and we hope you do too, but it will be all hands on deck for the next five months!

Happy trails and thank you for your support.

Tim Whitehouse,
Executive Director

About Us

PEER protects public employees who protect our environment. We are a service organization for local, state, federal, and tribal public employees, including scientists, law enforcement officers, land managers, and all others dedicated to upholding environmental laws and values. Through PEER, public servants can choose to work as "anonymous activists", so that public agencies must confront the message, rather than the messenger.

WHISTLEBLOWER PROTECTION

PEER Urging Action on Whistleblower Retaliators

Back in 1994, PEER scored one of its first legislative victories in helping to convince Congress to amend the Whistleblower Protection Act to add a “reciprocity clause” requiring that any official finding of whistleblower retaliation must trigger an action to identify and punish the retaliator. In the succeeding three decades, however, managers who engaged in reprisal have rarely been penalized.

The entity charged with enforcing

reciprocity, the U.S. Office of Special Counsel (OSC), typically closes the case after a whistleblower obtains relief. PEER is now dealing with two cases where retaliators have been identified, but OSC has dropped the ball.

In one case, OSC’s investigation helped a whistleblower obtain a settlement from his agency, but OSC would not let him see the report which he was told confirmed his retaliation complaint. Since then, OSC has taken no further action.

In another case, a whistleblower represented by PEER won a judgment from the Merit Systems Protection Board (MSPB), the federal civil service court, restoring her to her former position. The MSPB also ordered OSC to go after the responsible officials. More than six months later, OSC has not acted.

PEER is pressing for OSC to take action in these cases. Otherwise, whistleblower retaliation will remain a “no harm, no foul” activity for miscreant managers.

EPA Union Bargains for Scientific Integrity

In an effort assisted by PEER, the U.S. Environmental Protection Agency (EPA)’s largest employee union has won a provision protecting scientific integrity in its new collective bargaining agreement. This achievement opens the door to using federal labor law as a new tool to combat scientific meddling by EPA political appointees and senior managers.

This contract provision was won at the bargaining table by Local 238 of the American Federation of Government Employees (AFGE), the largest union local in the agency representing nearly half of EPA’s workforce. It appears to be the first time a federal employee union has won scientific integrity protections in a collective bargaining agreement.

The provision’s features are stronger than EPA’s Scientific Integrity Policy, first adopted in 2012 and now undergoing revision. It also stipulates that any future policy “will be subject to negotiation.” As a result, the union



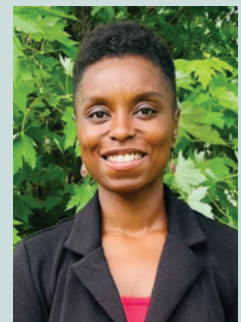
Federal Labor Relations Authority (FLRA). The scientific integrity collective bargaining provision will be enforceable by the FLRA, which can conduct arbitrations and rule on disputes.

will have a say in any new scientific integrity procedures.

“Union members recognize that EPA’s Scientific Integrity Program is completely toothless and that meaningful protection for scientists can only be obtained outside agency confines,” stated Pacific PEER Director Jeff Ruch, pointing out EPA’s Scientific Integrity Policy was not once invoked during the Trump term.

Welcome Nicole Bracey

PEER is delighted to welcome Nicole Bracey as our Human Resources and Office Manager. Nicole brings a diverse back-



ground in administration, human resources, and health coaching. Before joining PEER, she worked as an Administrator at Noom, a tech company focused on behavior change and mental wellness. She has also contributed to improving maternal health disparities for Black women as a health coach at Mamatoto Village, a non-profit organization in Washington, D.C. In her spare time, she enjoys dancing, taking long walks, and experimenting with new plant-based recipes.



CLIMATE CHANGE

Call for Trans-Alaska Pipeline Climate Audit

PEER has joined a coalition of environmental groups in a legal petition asking the Department of the Interior for a new analysis of the climate damage and other harms related to the Trans-Alaska Pipeline System. The petition also calls for a plan to phase down the pipeline's operations. The existing environmental analysis, now over two decades old, does not include any examination of climate impacts of extraction and burning of oil moving through the pipeline both today and in future years.

For the past year, PEER has been collecting documents about how this massive structure is increasingly threatened by climate change-driven environmental shifts and events, such as thawing permafrost and major floods. The pipeline was originally projected to have a life expectancy of 30 years, and the risk of oil spills grows annually.



PHOTO: WIKIPEDIA, LUCA GALUZZI

Nearly 50-Year-Old Infrastructure. Massive new drilling projects on Alaska's North Slope could dramatically increase the oil transiting the pipeline.

PEER Moderates Congressional Briefing on False Climate Solutions

PEER's executive director Tim Whitehouse moderated a Congressional Briefing on ways big agriculture and fossil fuel interests are teaming up to profit from the climate crisis while harming public health, farmers, and front-line communities. Attendees at the briefing heard from experts from the National Family Farm Coalition, the Indigenous Environmental Network, the Institute for Agriculture and Trade Policy, and Food & Water Watch. Speakers explained the reasons that government support for agricultural offsets, carbon capture and storage, and ethanol fuels are not effective climate strategies, and expressed support for policies that directly reduce greenhouse gas emissions.

Offsets Grow in Importance as Effectiveness Questioned

Central to the climate change strategies of both the federal and many state governments is heavy reliance upon carbon credits, also called carbon offsets. These function as allowances for polluters to continue emitting greenhouse gases at their current levels in return for buying offsets based on planting trees or restoring wetlands that allegedly counterbalance the polluters' contribution to rising global greenhouse gas emissions.

In an extraordinary statement at the end of May, the Biden White House issued unenforceable "guardrails," as an answer to extensive and growing criticism of these climate offsets, while continuing to offer vigorous U.S. support for offsets programs in advance of the United Nations Climate Change Conference in November.

The White House offered no rules for guaranteeing the integrity of credits, which have become an extremely lucrative corporate market. A slew of studies in the

United States and across the globe have documented how offsets do not work in addressing climate change.

Leading PEER's pushback against offsets is Laurie Williams, a former career U.S. Environmental Protection Agency attorney now supporting PEER's Climate Integrity Project. PEER's concern is that continued support of credits will make progress on the climate front illusory, as California is discovering. Even worse, these seductive supposed "win-win" measures impede the enactment of steps with the regulatory rigor to result in meaningful greenhouse reductions. We cannot afford dangerous distractions when global emissions are still rising and the time to prevent a rise in temperature above 1.5 degrees Celsius is rapidly shrinking.

Learn more about offsets in an opinion piece Laurie co-authored recently in *Common Dreams*.



SCAN QR CODE

NATIONAL PARK SERVICE

Alaska Park Wildlife Protections in Limbo

One of the most damaging actions affecting national parks taken during the Trump years was removing hunting restrictions across vast stretches of national park preserves in Alaska. However, a Biden proposal to restore Obama-era prohibitions remains unfinalized more than a year after it was unveiled. PEER is pushing for the release of the overdue Biden regulation.

At stake is whether more than 22 million acres of land administered by the National Park Service (NPS) in Alaska will remain open to questionable hunting and trapping techniques, such as killing bear cubs and wolf pups in their dens, luring bears with bait, and shooting swimming caribou from a motorboat. These practices by sports hunters on NPS preserves had been outlawed in 2015 during the Obama administration. In 2018, the Trump administration repealed

those rules, an action that was and still is being challenged in court by environmental groups.

That litigation had been stayed based upon Justice Department representations that the Biden administration was moving to undo Trump's actions and restore the Obama rules. Yet long after the public comment period on the Biden plan had closed, it is still not approved. Due to the lengthy delay, in late May the U.S. Court of Appeals for the 9th Circuit refused to extend the stay and ordered that briefing resume in July.

"For three years, the Biden administration has been in court defending the Trump rules even as they promise to repeal them," said PEER Board Chair Rick Steiner, a retired University of Alaska professor. "The Obama rule prohibited some barbaric wildlife killing practices on our National Preserves in Alaska. Trump



PHOTO: ADFG

Not an Unlimited Resource. While hunting is allowed in park preserves, it is not allowed within national parks. However, excessive hunting in the adjacent preserves often depresses wildlife populations within the parks.

rescinded it, and it is absolutely inexcusable that the Biden administration is dragging its feet restoring the original Obama rule."

Rushmore & Badlands Skies Stay Quiet



PHOTO: NPS

Hush. Skies above Mt. Rushmore and Badlands are closed to overflights due to PEER lawsuit.

A federal court has rejected an air tour industry attempt to suspend a brand-new federal ban on overflights across

Mount Rushmore National Monument and Badlands National Park. PEER won intervenor status in the case to contest the industry effort. Consequently, the prohibition on noisy and disruptive helicopter and plane flights across these two iconic parks will remain in place.

This is the latest in a multi-year PEER campaign to enforce the long-neglected National Parks Air Tour Management Act of 2000. That law requires the Federal Aviation Administration (FAA) and the NPS to jointly develop air tour management plans to prevent commercial air tours over national parks from disturbing wildlife and detracting from the visitor experience.

For 22 years the two agencies did not produce a single plan until a successful PEER

lawsuit spurred a court-ordered schedule for adopting plans at national parks ranging from Hawaii Volcanoes to New York Harbor. Today, plans are in place for 21 of 23 parks. PEER is in court challenging the adequacy of the air tour plan adopted for four San Francisco Bay Area parks.

"This case illustrates that Congress merely passing a law is not enough; nothing happens without agency implementation," added PEER Senior Counsel Peter Jenkins, noting the irony that in this case PEER is aligned on the same side as the FAA and NPS, defending the strong Rushmore and Badland plans, after previously suing them over the defective San Francisco area plan. "Hopefully, we are in the final stages of our efforts to restore control over their skies to the national parks."



ENVIRONMENTAL PROTECTION AGENCY

EPA's Effort to Misrepresent Pesticide Tests Backfires

In a misguided effort to protect its reputation, the U.S. Environmental Protection Agency (EPA) knowingly issued false statements that pesticides it tested contained no per- and polyfluoroalkyl substances (PFAS). PEER is demanding that EPA retract these falsehoods.

In the fall of 2022, researchers led by Dr. Steven Lasee found high levels of PFAS in widely used pesticides. Published in the peer-reviewed *Journal of Hazardous Materials Letters*, the study contradicted EPA statements that PFAS are not used in registered pesticide products.

In a May 2023 press release, EPA stated that it “did not find any PFAS in the tested pesticide products” citing a non-peer-reviewed research memo. PEER was surprised at these results and obtained EPA’s tests via a Freedom of Information Act request. What EPA did not reveal was that it did find numerous PFAS in the pesticides but did not report the results from one of the tests it ran. Moreover, EPA neglected to mention that the samples it tested had been deliberately spiked with

PFOS, a type of PFAS. However, their tests did not find the PFOS, indicating that the tests were insufficiently sensitive. In addition, EPA engaged in several faulty processes such as failing to do replicates as prescribed under the method used.

“EPA’s actions were baffling,” declared PEER Science Policy Director Kyla Bennett, a scientist and attorney formerly with EPA, noting that spiking samples is a common quality control technique. “The fact that EPA could not find any PFAS in samples deliberately spiked indicates just how incompetent this damage control operation was.”

Before pursuing legal remedies, PEER has sent a letter to EPA Administrator Michael Regan demanding that the agency retract the press release and accompanying memo; issue an apology to the *Journal* study’s authors; and discipline the responsible parties within EPA.

“EPA apparently is trying to deflect attention from its own regulatory mismanagement by attempting to smear



PEER is representing wronged scientist Dr. Steven Lasee who was part of a study that identified PFAS in a pesticide.

conscientious researchers,” added Bennett, calling this episode one of the most appalling actions she has seen in agency history. “EPA needs to act now to prevent further application of PFAS-laden pesticides.”

PEER is Representing Farmers and Ranchers in Lawsuit Against EPA

PEER is representing farmers and ranchers from Grandview, Texas, whose property and livelihoods have been ruined by PFAS contamination in sewage sludge spread on a neighbor’s property. Three other groups are poised to join our suit against EPA over its failure to prevent toxic PFAS in biosolid fertilizers from contaminating more farmlands, livestock, crops, and water supplies.

Biosolids are made from municipal and industrial sewage sludge. While the sludge is treated to remove pathogens and other materials, PFAS are not removed during treatment. EPA does not limit the amount

of PFAS biosolids can contain, although the agency has the legal responsibility to do so under the Clean Water Act.

In our discussions with EPA staff after filing our Notice of Intent to Sue this February, it became clear that the agency has no definitive timeline for regulation and that the scope of its current efforts would be inadequate.

“PFAS poisoning of farmlands is fast becoming a national agricultural emergency,” stated PEER Staff Counsel Laura Dumais. “Farmers whose lands have been



PHOTO: ADOBESTOCK_LUDMILLA SMITE

decimated by biosolids ask, ‘Why does EPA allow this?’ And they’re absolutely right. EPA needs to act immediately to protect farmers and our food supply from this toxic mess.”

PFAS

EPA Lacks a PFAS Containment Strategy

Every day there is a new headline about discoveries of dangerous amounts of toxic per- and polyfluoroalkyl substances, or PFAS, in groundwater, municipal wastewater systems, soil outside military bases, freshwater fish, human blood, and even in mothers' milk. It seems like the PFAS pollution crisis is out of control.

Many applauded the U.S. Environmental Protection Agency (EPA)'s action this April to finally set a maximum drinking water contamination limit for two of the oldest and most widespread PFAS, called PFOA and PFOS. That limit was set at four parts per trillion, a level so low it is tantamount to EPA saying there is no safe amount of PFOA and PFOS for human consumption. Indeed, EPA stated that there is no safe level of these two PFAS and set a maximum contaminant level goal of zero.

While this was an important, if overdue, regulatory step much more needs to be done. EPA estimates there are 30,000 facilities in the United States that may be using or handling PFAS. Yet, EPA has no strategy to interrupt the flow of PFAS reaching our water, soil, and food chain from these facilities and the products they make.

Removing PFAS from our environment will be very, very expensive and take a long time.

It will be far less expensive and far more feasible to contain PFAS and prevent them from reaching the environment. Yet, EPA does

not have a PFAS containment strategy. In fact, EPA is spending more time impeding PFAS containment than implementing it. Consider these examples:

Containers. Inhance Technologies fluorinates an estimated 200 million containers a year for a wide array of products, such as chemicals, pesticides, personal care products, and fuels, as well as edible oils and flavorings. The fluorinated linings create PFAS which leach into the containers' contents. This means PFAS contaminates a huge portion of all U.S. commerce.

Yet, EPA moved to block a PEER citizen suit against Inhance on the grounds that EPA was handling the issue. After EPA's enforcement effort was invalidated by the 5th Circuit Court of Appeals, EPA declined to appeal or take any other action. As a result, PEER may be back in court trying to ban these PFAS-laden containers in favor of available alternative barrier technologies that do not create PFAS.

Biosolid Fertilizers. Biosolid fertilizers are made from sewage sludge. PFAS are not removed during treatment and EPA does not limit the amount of PFAS they can contain. PEER is now in federal court suing EPA for its failure to prevent further decimation of agricultural operations (see page 6 story).

Pesticides. PFAS have been found in many insecticides at incredibly high levels. These PFAS are being taken up into the roots and shoots of plants, which means that they are entering our food supply through contaminated soils. Since these are "forever chemicals," this contamination will last long after the pesticide application.

Ignoring a growing trove of evidence, EPA has failed to take action to prevent PFAS in pesticides and is discouraging states from testing (see page 6 story).

Landfills. With no national standards for PFAS waste disposal, huge amounts of PFAS are disposed of and leaching out of U.S. landfills, being burned in incinerators and injected underground. PEER is developing a legal approach to safe disposal of PFAS as it appears EPA is not moving with any alacrity to address the issue.

Artificial Turf. Currently, there are an estimated 13,000 synthetic turf sports fields in the U.S., with more than a thousand new installations each year. All brands of artificial turf tested contain PFAS in carpet "grass" fibers. PFAS is leaching off these fields into nearby surface and groundwater, some of which are sources of drinking water. PEER is at the forefront of the fight against artificial turf pollution while EPA is MIA.

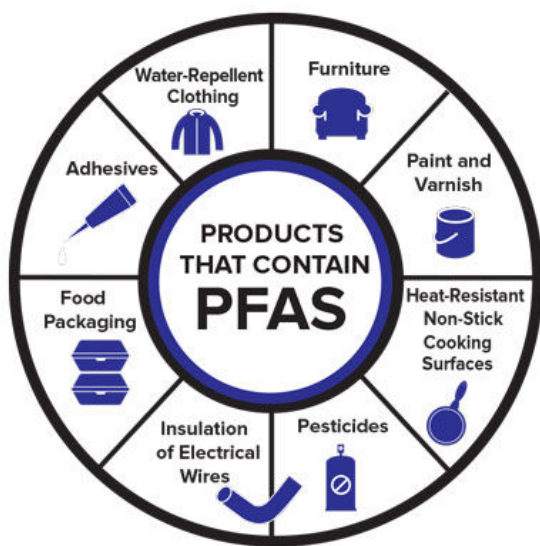


PHOTO: NYS DOH

Exposure Vectors. PFAS is found in many products that result in human exposure.



STATES

Victory Protecting Maine Wilderness

Maine's Allagash Wilderness Waterway is a natural wonder. The entire length of the 92.5-mile river, nearly one-third of Maine's total river miles, must by law be managed to protect and enhance its wilderness character.

Despite this mandate to preserve its "essentially primitive" properties, the Allagash's custodian, the Maine Bureau of Parks & Lands, keeps approving more and more buildings inside the half-mile wilderness corridor sheathing the river's length. Today that toll includes nearly 30 structures.

Its latest plan to build three new offices and three new storage facilities within the corridor crossed a line. Led by the long-time former Allagash Wilderness Waterway Manager Tim Caverly, who also ran Maine PEER before he completely retired, PEER helped spearhead a successful campaign to block any further building inside the wilderness corridor.



PHOTO: RIVERS.GOV/TIM PALMER

The Allagash Wilderness Waterway. State and federal laws require that the Allagash be preserved in the wildest state possible.

LA Schools: Politics and Vermin

The Los Angeles Unified School District (LAUSD) is the nation's second-largest K-12 school district covering 710 square miles, including most of LA and 25 other cities. Of necessity, its staff handles a wide range of infestations from termites to rats to molds.

Over the years, pesticide applications on school grounds have triggered parental complaints. In response, LAUSD created an independent Integrated Pest Management Committee to provide oversight to its pesticide program. Today, District management is chafing at continued oversight and is taking steps to hamper and possibly replace the Committee

which has representation from parents, teachers, and other staff, as well as a medical representative.

Meanwhile, the District has been hit with a trifecta of pesticide violation citations from federal, state, and county authorities just within the past year. Violations include a lack of technician training and protective equipment as well as the use of unapproved rodenticides on several campuses.

At this crossroad, both District staff and Committee members have enlisted PEER to encourage the District to re-embrace parental involvement and oversight that had made it a national model.

Saving the Largest Undeveloped Island on the East Coast

PEER has opposed Maine's plan to develop Sears Island into a logistical hub for a future floating offshore wind facility citing the availability of an already nearby industrialized port called Mack Point. Sears Island is one of the largest undeveloped islands remaining on the East Coast.

We recently discovered another complication. The 40-year-old permit authorizing the Maine Department of Transportation to build a "bridge" connecting Sears Island to the mainland was premised upon it including a culvert to allow Penobscot Bay waters to flow under the causeway unobstructed. However, it appears that the culvert was never constructed.

As a result, the causeway itself – the island's only land access – may be vulnerable to a new legal challenge, further complicating plans to develop Sears Island. Meanwhile, the tides are shifting as many local organizations, residents, and businesses are rallying around the idea of building the wind facility at Mack Point, which already has a rail line to the port.

The push to develop Sears Island has national implications. When we fail to plan correctly, renewable energy projects and infrastructure will supplant the important climate-controlling work of grasslands, wetlands, and forests, and threaten sensitive ecosystems and habitat areas such as Sears Island.

NATIVE AMERICANS

Native American Grave Offenses

A multi-year investigation has confirmed that two National Park Service (NPS) archeologists committed extensive financial and ethical improprieties. However, their trafficking in stolen Native American human remains did not constitute violations of law. That result creates a bad precedent that may hinder the legally required repatriation of such materials in the future – a result PEER is working to combat.

A whistleblower's allegation led to a Department of the Interior Office of Inspector General (IG) investigation. The targets of that probe were two NPS archeologists who, while working for NPS and using agency resources, were also setting up a private archeology business. In so doing, the two have obtained a collection of funerary pots and Native American skulls.

For five years, the funerary pots were kept in cardboard boxes while students and staff handled, photographed, and researched the skulls and pots. All the while, they did not inform any federally recognized tribe that they possessed the collection, as required by the Native American Graves Protection and Repatriation Act (NAGPRA). The IG agents found 21 funerary pots still sitting on shelves within their offices, yet to date, no tribe has been informed, let alone consulted, about these events.

“By ignoring these blatant desecrations and focusing only on ethics violations, the IG made a bad situation worse,” stated Pacific PEER Director Jeff Ruch. “The whole point of NAGPRA is to protect Native American burial mounds and graves from systematic desecration in the name of ‘archeological science.’”



PHOTO: NPS

Native American Grave Protection and Repatriation Act. Tribal repatriation of human remains and funerary objects, as required by NAGPRA, has been uneven in federal land management agencies, such as the Park Service.

Scandal Coverup Crumbles

An investigative report confirming allegations by current and former students and staff of sexual abuse, bullying, and absence of institutional control at a federally run university for Native American students has finally seen the light of day, thanks to PEER litigation. The report also documents non-responsiveness by Department of the Interior (DOI) officials to student reports of physical assaults, embezzlement, and an array of other misconduct.

Located in Lawrence, Kansas, Haskell Indian Nations University (HINU) is operated by the DOI's Bureau of Indian Education (BIE). According to the investigative report, numerous student allegations relayed to the school

president, BIE Director, and even the Assistant Secretary of the Interior's Bureau of Indian Affairs “did not get a response or any indication their issues would be addressed.”

The report's scathing assessment of the school's response to numerous reports by students of sexual assaults stated –

- “HINU staff appear to take minimal actions when students make allegations of sexual assault...”
- Student Services does not believe it is their responsibility to notify law enforcement when a student reports a sexual assault because they are considered adults.
- HINU does not follow-up with victims

to check on their well-being after a sexual assault has occurred.”

In response to our Freedom of Information Act request, BIE initially claimed it would be illegal to release the report. After our appeal of that denial went unanswered, we then sued. Incredibly, BIE informed the Justice Department the report did not exist, but as the moment when officials would have to submit affidavits under oath approached, BIE ultimately coughed up the damning report nearly one year after we first requested it.

Stung by the negative publicity the episode generated, BIE and the DOI's Secretary are promising reforms, but they have yet to be unveiled.



PEER PERSPECTIVES

Your Path of Totality



Vermont State Senator Anne Watson

Vermont has enacted the nation's first "Climate Superfund Act" to make fossil fuel companies pay for damages linked to greenhouse gas emissions. Modeled on the federal Superfund law, this new state measure takes the "polluter pays" where it has never been before. Sen. Anne Watson (D), a prime sponsor, explained, "Thanks to attribution science, we can measure just how much worse storms are now because of climate change. So, it's time for us to hold fossil fuel companies accountable for the damage they have caused." Last summer, Vermont experienced massive flooding at levels associated with hurricanes. That event helped galvanize the super-majority needed to enact the program. Reading these political tea leaves, Gov. Phil Scott (R) ducked a veto by letting the bill become law without his signature.



Defense Department Inspector General Robert Storch

In the wake of the environmental catastrophe that hit Oahu's water supply after thousands of gallons of fuel leaked from the Navy's Red Hill storage complex, the Department of Defense Office of Inspector General (IG) decided to examine all military fuel depots. Its audit of some 600 petroleum storage sites found 172 fuel spills between FYs 2020 and 2022, some of which were quite large. The IG also found that the Defense Logistics Agency (DLA), which manages the fuel, had no records documenting required site visits every three years at more than 91% of the sites. Oops. In response, DLA promises that all its sites will be brought into compliance with the three-year visit requirement. We suggest another audit in three years.



U.S. Representative Jeff Duncan

In testifying for his subtly named "Hands Off Our Home Appliances Act," Rep. Jeff Duncan (R-S.C.) went off the deep end by denouncing a federal program that prevents the collection of rainwater, charging that people are being told "they can't catch rainwater off their own roof for use in their home." Of course, there is no such program. The U.S. Environmental Protection Agency encourages the practice, and a new federal law helps finance residential cistern systems. Apparently, Duncan found this disinformation somewhere online. It is one thing for a bombastic backbencher to make such a silly claim, but Duncan chairs the House Subcommittee on Energy, Climate and Grid Security.



Arizona State Representative Gail Griffin

Griffin (R), chair of the House Natural Resources Committee, is one of the main sponsors of a proposed state constitutional amendment to outlaw any restrictions on devices based on the fuel they use. "I don't want you to take my blower away," she explained. "It's my choice which kind I use; it's your choice which one that you use." Republicans hold a narrow majority in both legislative chambers and are moving a slate of similarly extreme constitutional amendments, which cannot be vetoed by Democratic Gov. Katie Hobbs, to the ballot where they need only a simple majority to pass and prevent future legislatures from altering. If they win, the right to own gas-powered leaf blowers will join a growing list of nutty ideas half-baked in the Arizona sun.



New York State Senator Pete Harckham

Sen. Harckham (D), who chairs the Environmental Conservation Committee, has brokered a precedent-setting plastics reduction measure. His bill would require manufacturers and distributors of all consumer goods to substantially reduce the amount of packaging they use and pay fees to assist with the disposal of the remaining waste. It allows companies to count replacing plastic with non-plastic materials as a reduction. It also maintains New York's recently enacted ban on toxic chemicals in packaging, including per- and polyfluoroalkyl substances (PFAS) and polyvinylidene chloride. Harckham summed it up by saying, "A 30 percent reduction in 12 years in packaging waste is substantial," and even with last-minute compromises, "It'll still be the strongest law in the country."



Wyoming Governor Mark Gordon

Even deep red Wyoming was shocked by social media featuring a hunter who ran over a young wolf with his snowmobile, tied the wounded animal up with a leash and shock collar, and its jaws taped shut as he paraded it around a local bar before taking it outside and shooting it. The grisly episode is legal because the state law forbidding cruelty to wildlife does not apply to predators. Gov. Mark Gordon (R) expressed outrage but said it's up to the Legislature to act. He then sent his Fish & Game Director to testify, "There's not an urgent crisis to make a change tomorrow. My advice would be to let the dust settle a little bit, allow time for some thoughtful discussion and consideration." As a result, it remains open season on predators in Wyoming.



DEVELOPMENT

Join the Summer of Good Trouble—Demand Accountability, Empower Democracy

2024 is a pivotal year for democracy everywhere and this summer, I'm inviting YOU to seize the moment to demand accountability and empower our democracy. Join whistleblowers, anonymous activists, and public employees in making your voice heard by supporting PEER this summer in our Double Trouble campaign.

From June 20th to September 20th, your gift to PEER will be matched and our impact will be doubled!

Here's how you can join the Double Trouble Campaign:

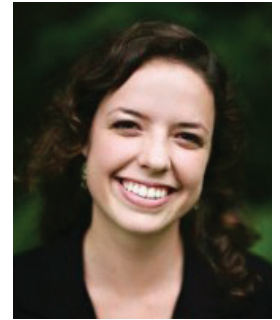
1. Make a gift during this summer and it will be matched 1:1.
2. Make a new or increased gift this summer and will be matched 2:1.

Included in this issue of PEERreview you will find postcards for you to invite friends to make their first gift to PEER. Remember, all new gifts to PEER will be matched 2:1!

Environmental whistleblowers and anonymous activists protect our environment with PEER's support. These brave individuals make change within their agencies and highlight issues that

affect our democracy. PEER proudly defends these whistleblowers and activists, providing pro-bono legal services to ensure government accountability at all levels. Public employees are the guardians for the institutions of our democracy, and they need our support now more than ever.

So, join us, give to PEER this summer, and get into good trouble!



Helen Pent Jenkins,
Director of Development



<https://peer.org/donate>



Our Heartfelt Gratitude

*We want to express our immense gratitude to the **13** new donors who have supported PEER this quarter. Your investment in our work is deeply appreciated. Additionally, we would like to extend our thanks to the following foundations for their continued support:*

ReMain Nantucket Fund

FJC-A Foundation of Philanthropic Funds

Park Foundation

Our heartfelt thanks to Foundation partners that prefer to remain anonymous.

2024 Community Survey

Our annual Community Survey prompted over 300 responses from supporters across the country. We are grateful for all of your insights, suggestions, and advice on how we can improve our service to public employees, public health, and the environment. Explore the survey results at <https://peer.org/about-us/community-survey/> or scan the QR code.




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AMERICA'S AILING OVERGRAZED RANGELANDS — Continued from page 1 ►

This spring, BLM finalized the Public Lands Conservation Rule but, according to agency officials, it will not affect livestock operations. PEER has expressed concern that BLM is not using

the legal tools it has at its disposal to address overgrazing and improve the health of western lands.

Straight Talk

One of the Bureau of Land Management's most senior range specialists is leaving the agency in disgust over its declining ability and willingness to protect the lands entrusted to it from damage caused by chronic overgrazing and rampant grazing trespass.

For more than 32 years, Melissa Shawcroft has been a BLM Range Management Specialist working in Colorado's San Luis Valley. She was responsible for administering 70 grazing allotments and 50 grazing permits. In 2012, BLM gave her its Outstanding Rangeland Management Specialist Award.

In her exit memo to BLM Director Tracy Stone-Manning, Ms. Shawcroft points to factors such as –

- Far range fewer staff spending far less time in the field directly observing conditions;
- Systemic failure to enforce landscape health standards to shield lands degraded by destructive overgrazing; and
- Unwillingness to address grazing trespass no matter how damaging the violations.

“Unfortunately, agency managers being brought in all seem to be trained to avoid conflict rather than solving problems,” Shawcroft wrote.