

**Statement for the Record
Bureau of Land Management
Department of the Interior
Senate Energy and Natural Resources Committee**

**S. 3616, Federal Law Enforcement Training Center Protection Act of 2010
September 29, 2010**

Thank you for the opportunity to testify on S. 3616, the Federal Law Enforcement Training Center Protection Act of 2010. S. 3616 would reserve and withdraw approximately 2,700 acres of public land administered by the Bureau of Land Management (BLM) for use by the Secretary of Homeland Security for the Federal Law Enforcement Training Center (FLETC) in Eddy County, New Mexico. The BLM supports S. 3616, and would like to work with the Chairman on amendments to the bill to address a number of technical issues.

Background

The FLETC has operated a law enforcement training center northwest of Artesia, New Mexico for the past two decades. The staff in FLETC-Artesia is responsible for designing, developing, coordinating, and administering advanced and specialized training programs for the United States Border Patrol, Bureau of Indian Affairs, Transportation Security Administration, and other partner organizations. Basic and advanced training programs are conducted for the Department of the Interior's Bureau of Indian Affairs under the auspices of the Indian Police Academy. Specialized instructor programs such as the Law Enforcement Driver Instructor Training Program, Firearms Instructor Training Program, the Law Enforcement Fitness Coordinator Training Program, and the Law Enforcement Control Tactics Instructor Training Program, are also conducted at the Artesia facility.

The FLETC use of public land was first authorized by a right-of-way (ROW) issued by the BLM in 1990. Subsequently the FLETC requested additional public land for the training center, and the BLM completed a land exchange in June 2003 with the State of New Mexico to facilitate this expansion. In 2003, the BLM issued a 20-year administrative withdrawal of approximately 1,921 acres, subject to valid existing rights, for FLETC, although the existing mineral leases continued to be managed by the BLM.

The FLETC has indicated to the BLM a need for an additional 779 acres, seeking a total area of approximately 2,700 acres. The BLM can also accomplish the withdrawal administratively, if the FLETC elects to pursue that approach.

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S. 3616 proposes to withdraw and reserve approximately 2,700 acres of BLM-managed lands for FLETC for a period of 20 years, subject to valid existing rights. The lands would be withdrawn from entry, appropriation or disposal; location, entry and patent under mining laws, and operation of mineral leasing, mineral materials, and geothermal leasing laws. The bill withdraws and reserves the land for the purposes of protecting, operating, and maintaining FLETC.

The BLM supports the withdrawal of the lands for FLETC's law enforcement training mission. The BLM frequently works with Congress and the Department of Defense on similar legislative withdrawals only for military purposes. We believe that those acts may serve as good models for this withdrawal. Among the issues that should be addressed in this proposed legislation are protection of valid existing rights (including existing rights-of-way and oil and gas leases), environmental compliance and mitigation, future extensions of the withdrawal, restoration and rehabilitation of the land upon termination of the withdrawal, and the FLETC's responsibilities under the National Environmental Policy Act (NEPA).

Conclusion

Thank you for the opportunity to testify. We look forward to continuing to work with the Chairman and the Committee on this important legislation.