



In Wake of James Kim Tragedy, Senator Feinstein  
Questions Interior Department Secretary Kempthorne on  
Bureau of Land Management Safety Protocols

January 5, 2007

*Washington, DC – U.S. Senator Dianne Feinstein (D-Calif.) today questioned Interior Secretary Dirk Kempthorne on the consistency of the safety protocols used by the Bureau of Land Management (BLM). The recent tragic death of California resident James Kim called attention to the inconsistency of the measures used by the BLM to manage and secure federal roads.*

*California resident James Kim perished over the Thanksgiving holiday trying to rescue his wife and two daughters. The Kim family's vehicle had been stranded when it was trapped in a snow bank on a BLM road that was supposed to be closed to the public, but was not properly secured.*

*In a letter to Secretary Kempthorne, Senator Feinstein urged the Department to determine whether BLM protocols were followed, or if new procedures need to be put in place. Senator Feinstein is expected to be the new Chairman of the Senate Appropriations Subcommittee on the Interior and Related Agencies.*

*The following is the text of the letter sent to Secretary Kempthorne:*

January 2, 2007

The Honorable Dirk Kempthorne  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Dear Secretary Kempthorne:

I write regarding the tragedy that befell a constituent of mine, James Kim, and his family, over the Thanksgiving holiday. I hope you can shed some light on the particulars of this situation and what actions the Department has taken to prevent similar occurrences in the future.

I understand that BLM personnel participated in the search for the Kim family and I want to commend their efforts. However, I am disturbed by what appears to be a failure to follow instruction and a deviation from agency policy that contributed to cause this incident. It is my understanding that a BLM supervisor directed agency personnel to lock the closure gate on BLM Road #34-8-36, but that direction was not followed, nor was the supervisor informed that the gate was not locked. It was also reported in the media that a non-Bureau combination lock had been placed on the gate to keep it open.

This appears to be the third incident of unintentional entry involving this road in 2006. I would appreciate your direct involvement in determining whether BLM protocols were followed, or if new procedures need to be put in place. I would like a number of specific questions answered:

- Did BLM personnel disregard instruction to lock the closure gate to Road #34-8-36?
- Does BLM or the Josephine County Sheriff patrol the gate to Road #34-8-36 when it is supposed to be closed? How frequently?
- Was there a non-Bureau lock on the gate to keep it open?
- Was there adequate signage to deter accidental public access?

Thank you for your personal attention to this matter. I look forward to your involvement and response.

Best Personal Regards,

Sincerely,

Dianne Feinstein  
United States Senator

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