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## Swearing-In of U.S. Marshal Darrell J. Bell (2)

Max S. Baucus

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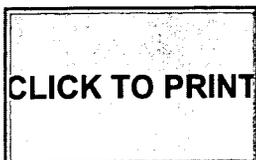
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**BAUCUS**

# Statement for the Montana Swearing-In of New US Marshal Darrell J. Bell

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**Date:** February 4, 2011 – 3:00 PM

**Location:** James F. Battin Courthouse, Billings MT

**Number of Expected Attendees:** 25-50 people

**Podium:** Yes

**Order of Speakers:** You are the first speaker following the Pledge of Allegiance and a brief introduction by Deputy Marshall Rod Ostermiller. Billings Police Chief Rich St. John and Deputy Marshal Ostermiller will follow you.

**Objective of Statement:** Congratulate and celebrate Marshal Bell's appointment.

I am so happy to be here today with you all to celebrate Darrell on his new job as U.S. Marshal for Montana. He is a great guy, a terrific law enforcement officer, and the right man for this job.

He has worked his way up the ladder and has excelled every step of the way. He will do well and will help ensure that our communities are safe and that Montana continues to be a great place to live and raise a family.

*Examples?  
Acting chief?*

I also want to thank Darrell's wife, Dawn and his children, Lindsay and Brent for supporting him.

We all know that when someone chooses a career in law enforcement, they are willing to put their lives on the line for others — and that's a sacrifice family members must also be willing to shoulder.

Darrell is not only a former police chief from right here in Billings. He started out as a patrolman in the Billings Police Department in 1974. He spent over 30 years working his way up the ranks.

He was a sergeant, then a lieutenant in the Operations Division, and then a captain for Investigations, Training, and Support. For five years he was a Deputy Chief of that same division, before stepping into his role as Chief of the Department.

Darrell's great track record is pretty well known.

Now, I want to share a few tidbits with you about Darrell...that you might not know.

Every year a group of his friends and brothers go on a big hunting trip. Darrell has always taken great pride in organizing the menu. He keeps the camp kitchen in order. He takes this job VERY seriously. He does such a great job and is so dedicated that his brothers and friends are known to call him "Martha" ---as in Martha Stewart.

But, I don't recommend anyone here EVER  
attempt to use this nickname on our new Marshal.  
Have you seen the gun in his holster?

Another thing you might not know about Darrell is  
that he is one heck of a golfer. Even though his  
old cop buddies try to tease him for spending too  
much time in the rough — the truth is he's a great  
shot.

In fact, this year, he got his first hole-in-one  
EVER.

Last yr?

It was the 17<sup>th</sup> hole, 178 yards. But, the Laurel Golf Club newsletter erroneously reported he achieved this feat with a "7 wood" instead of a "7 iron." If you know anything about golf, you know this mistake has made Darrell the brunt of many jokes for using an "old man's club."

Let's set the record straight once and for all and clear our good friend's name – it was indeed a 7 iron. And Darrell – I believe that your hole-in-one this year is just as sign of many good things ahead for you and our community thanks to all your hard work and dedication.

In fact, just a couple weeks ago – I joined Darrell in Billings as he led a roundtable discussion with some of the top law enforcement and justice officials in the area where I saw his leadership and commitment to teamwork really take center stage.

He has built a long track record of bringing folks together for the common good. I have no doubt Darrell is the right man for this job.

Congratulations to Darrell and the whole team here at the U.S. Marshal's service.

I have one final bit of advice for everyone here.

Watch your back with Darrell ~~||~~ Even though he is  
one of the most professional cops in all of  
Montana....he's also one of the best pranksters. | *sample?*

You never know when he's gonna get you.

Darrell, I'm proud of you - go get 'em!



## Memo

To: Chairman Baucus

From: Will Sehestedt

Date: February 4, 2011 – 3:00 PM

Re: Montana Ceremony for Swearing of Darrell Bell as US Marshal for Montana

The Montana swearing-in ceremony for Darrell Bell, the new US Marshal for Montana, will be held at 3:00 PM on Friday, February 4<sup>th</sup>. Darrell was nominated by President Obama upon your recommendation, and was confirmed by the Senate on Sunday, December 20<sup>th</sup>, 2010. You attended his Washington, DC swearing in on January 7<sup>th</sup> with Darrell's family and Mel. Darrell's family attending this event is his wife Dawn, daughter/Baucus-Billings staff Lindsay and his 93 year old mother Jo Bell. His son Brent is unable to make the event. Unlike that ceremony, you will have the chance to deliver prepared remarks at this event. This memo includes event logistics, background on Darrell, short updates on policy items that may be raised by event attendees, and some tough questions. Your remarks for this event are included in a separate document.



### Event Logistics

The swearing in will take place at 3:00 PM at the James F. Battin Federal Courthouse. United States Magistrate Judge Carolyn Ostby will call the court to order, and then introduce the Master of the Ceremony, Chief Deputy Rod Ostermiller. Including remarks by you, Billings Police Chief Rich St. John, Deputy Marshal Ostermiller, and Marshal Bell, the ceremony will take approximately one hour. You are scheduled to be wheels-up from the Billings Airport at 4:15, on a charter flight to Bozeman.

## Event Program

- Welcoming: Deputy Marshal Rod Ostermiller will welcome the crowd and briefly introduce Darrell's brother Jay Bell (fmr. Yellowstone County Sheriff)
- Pledge of Allegiance: will be led by Jay Bell
- Introduction of Remarks: Speakers will be introduced by Deputy Marshal Ostermiller
  1. Senator Max Baucus
  2. Rich St. John, Billings Police Chief
  3. Rod Ostermiller, United States Marshal Service Chief Deputy
- Administration of Oath: Honorable Carolyn Ostby – U.S. Magistrate Judge
- Address by United States Marshal Darrell J. Bell
- A reception will be held at the Rex Restaurant following the swearing in.

## Media Attendees

We anticipate the following reporters to be in attendance:

- Zach Benoit, Billings Gazette (he covered the Christmas Tree Work Day 12/11/2010)
- David Jay, KTVQ reporter (he was at the Law & Justice Roundtable 1/21/2011)
- Laura Kennedy, KULR-8 reporter (she was also at the Christmas Tree Work Day 12/11/2010)
- Matt Brown, Montana AP (he was also at Law & Justice Roundtable 1/21/2011)

## Media Topic Message

- Montana comes first Fighting to do what's right for Montana.
- Montana jobs depend on safe communities.

## Talking Points for Media

- **Darrell Bell is the right guy for the job.**
- **He's got a great track record of bringing people together and he will serve Montana well.**
- **When we've got safe communities, we can attract business and jobs to our state because it adds to all the things that make Montana a great place to live, work and raise a family.**

## **Darrell Bell Biographic Notes**

Darrell Bell worked for the Billings Police Department for 31 years. He began as a patrolman in 1974, was promoted through the ranks, and eventually served as Police Chief in 2005. While working for the BPD, he has also served on the Executive Boards of the High Intensity Drug Trafficking Area (HIDTA) and of the Chiefs of Police.

Since 2006, Darrell has worked for the Montana Department of Justice as an investigator for the Gambling Control Division. His daughter Lindsay currently works in your Billings office.

## **Law Enforcement Funding Issues**

On January 20<sup>th</sup>, you held a law enforcement roundtable with representatives from state and local law enforcement. This event was held at the Marshals Office in Billings, and was largely organized by Marshal Bell and Deputy Marshal Rod Ostermiller. The focus of the meeting fell upon protecting key funding sources for federal, state, and local law enforcement to coordinate their efforts. Key funding sources emphasized at the roundtable were:

Byrne Justice Assistance Grants Funding: Justice Assistance Grant (JAG) funding is distributed to state and local governments on a formula basis. States and localities have the flexibility to leverage the funding they get through JAG with their own resources, including state funding and forfeiture funds. Montana uses about 90% of its JAG funding to support multi-jurisdictional drug task forces which foster institutional collaboration, information sharing, and state/local/federal partnerships in the fight against illegal drug traffickers. Montana receives slightly over \$1 million annually for this program, and received an additional \$5 million for JAG-supported programs under the America Recovery and Reinvestment Act. You have strongly supported continued funding of this program at a high level.

High Intensity Drug Trafficking Area Funding: Funding through the HIDTA program goes to Cascade, Flathead, Lewis and Clark, Missoula, and Yellowstone Counties. Last year, this funding source provided approximately \$1 million in funding for state and local law enforcement in Montana. Law enforcement uses this funding in addition to Byrne Justice Assistance Grant funding, which is distributed statewide and is critically important to Montana's multi-jurisdictional drug task forces. You led a bipartisan group of Senators this spring in supporting level funding of the national HIDTA program at the Fiscal Year 2010 level of \$239 million.

Dept. of Justice Asset Forfeiture Fund: The DOJ Asset Forfeiture Fund is a fund maintained by the Treasury Department and controlled by the Attorney General. The Fund receives the proceeds of forfeitures and seizures resulting from investigations and settlements from joint federal-state-local investigations of criminal activity. Under an equitable sharing program, proceeds from seizures and forfeitures as a result of those investigations are divided among the jurisdictions that participated.

This funding is particularly important to Montana's multi-jurisdictional drug task forces and local law enforcement. During tight local budget times, funds derived from the Asset Forfeiture Fund help departments to finance further investigative expenses, purchase of equipment, and paying officers for additional overtime.

*Law enforcement officers emphasized the importance of protecting each of these funding streams for state and local law enforcement, in addition to sustaining regional information sharing networks and competitive grant programs for equipment and hiring. Staff has worked with Marshal Bell and reached out to state and local law enforcement to emphasize your strong support of these programs. Additionally, staff has prepared a letter for you to hand-deliver to Chairman Inouye, supporting protecting these programs from possible cuts as Congress completes its work on FY2011 spending legislation.*

#### **Health Reform Topic Message:**

- Health reform isn't perfect, but we've got to give the law a chance to work.
- I'm open to solutions for making it better, but now is not the time to roll it back and roll back all the positive reforms Montanans are now experiencing.
- Repealing health care reform would add more than \$1 trillion to our debt over the next 20 years and take away \$460 billion in tax cuts.

#### **Veterans Employment Transition Act (VETs Jobs bill)**

One of the first bills you introduced this Congress was the Veterans Employment Transition Act, or VETs Jobs bill, on January 26<sup>th</sup>. The VETS Jobs bill would reinstate a tax credit that expired at the end of 2010 for employers who hire servicemen and women who've left the service in the last 5 years, and it would simplify the credit so it's easier for businesses to use. The credit for businesses is worth up to \$2,400 per veteran hired.

The bill would make it easier for employers to get the credit by eliminating previous administrative red tape that made the old tax credit difficult for small businesses to use. Nationwide, the unemployment rate among Iraq and Afghanistan veterans averaged 11.5 percent in 2010, up from about 7 percent in 2008. In Montana, the average unemployment rate among veterans jumped from an average 4.3 percent in 2005, 0.7 percent below civilians, to 9.8 percent in 2009, which is two percentage points higher than civilians.

## **American Security and Freedom Fuels Act of 2011**

On January 27<sup>th</sup>, 2011, you reintroduced the American Security and Freedom Fuels Act. This is great news for the Many Stars coal-to-liquids project on the Crow Reservation as well as for our camelina farmers and for businesses like Sustainable Oils in Bozeman which has contracted with the Air Force to provide bio-fuels for its jets. The American Security and Freedom Fuels Act of 2011 would:

- Grant the Department of Defense the authority to contract for fuel produced in the United States for up to 10 years. (Currently, the Defense Department can only contract with energy suppliers only up to five years.)
- The longer-term contracts for American-made fuels are expected to boost demand for alternative fuels derived from home grown crops, such as camelina, and reduce the military's and country's dependence on foreign oil.
- Industry experts argue that long term contracts could jump-start new investments in new energy projects across the United States, including new clean coal to liquid refineries or bio-fuel plants.

## **Farm Bill Update**

In summer 2008, you helped write and pass a new Farm Bill to help Montana's farmers and ranchers. To make sure this bill was right for our producers, you held 10 listening sessions around the state. Your signature contribution to the Farm Bill was a Disaster Assistance Trust Fund that finances five programs that comprehensively address agricultural disasters across the nation.

The Farm Bill expires September 2012. House Agriculture Committee Chairman Colin Peterson has already held numerous Farm Bill hearings to get an early start on reauthorization work so that the next Farm Bill can be completed on time and before long term budget concerns force spending cuts for agriculture programs.

Senate Agriculture Chairman Lincoln has held three hearings so far this year. You attended the first hearing, which covered implementation of current Farm Bill programs. You also attended the third hearing which focused on agricultural trade policy- where you grilled USTR Ambassador Kirk on the Korean Beef export issue.

## **Essential Air Services Update**

Earlier this week, the US DOT announced that it would switch the Montana Essential Air Services contract for Montana's 7 eastern airports (Sidney, Glendive, Wolf Point, Miles City, Glasgow, Havre, and Lewistown) from Great Lakes to Gulf Stream, effective May 1<sup>st</sup>. The contract was awarded for two years.

Gulf Stream has indicated it will restore service directly to Billings. Currently, Great Lakes bypasses Billings and flies to Denver for all its Miles City and Lewistown flights, as well as half of its Sidney flights - leaving us with no intrastate point-to-point flights, a source of irritation for many in-state flyers. Gulf Stream does not have a history of flying in MT - or, for that matter, anywhere outside of Florida and the Caribbean. Additionally, Gulf Stream declared Chapter 11 in November, and is currently reorganizing under Bankruptcy Court supervision.

## **START Treaty**

In December, the Senate passed the resolution on ratification for the New START Treaty with the support of both you and Senator Tester. The New START treaty allows the U.S. to inspect and monitor Russia's nuclear arsenal, and to count Russia's strategic nuclear warheads. The U.S. has not had the ability to keep tabs on Russia's weapons since the original START agreement expired in December 2009.

The treaty also preserves America's right to use nuclear defense if necessary, and would not limit the ability of the United States to continue implementing missile defense programs. Every living former Secretary of State from both parties, and former president George H.W. Bush, has urged the ratification of New START. New START must now be ratified by Russia's parliament before the treaty enters into force.

New START limits Russia and the US to a total of 1,550 nuclear warheads and 700 deployed delivery vehicles. The 1251 report submitted to the Senate with the START treaty proposed the following cuts to nuclear delivery vehicles to meet the limits of the treaty: ICBMs will be reduced from 450 to between 420 and 400. The Nuclear Submarines will be reduced from 336 to 240 delivery vehicles. The nuclear armed bombers will be reduced from 94 to between 60 and 40. All reductions will take place within the next seven years (near the back end.) The administration will consider retaining the ICBMs that are pulled out of the silos as a hedge that could be reloaded in a crisis.

General Kowalski, the commander of Air Force Global Strike Command recently announced that the Air Force is planning on removing 10 ICBMs from each missile base.

The jobs impact of losing 10 missiles is difficult to assess but Colonel Fortney, the previous Malmstrom commander, estimated that the number of jobs lost would be negligible since airmen are not assigned to individual missiles but missile squadrons, which are expected to remain at current levels.

You, Senator Tester and Congressman Rehberg have all been outspoken supporters of ICBM's at Malmstrom. You and Senator Tester are members of the Senate's bipartisan ICBM coalition, worked hard to prevent deep cuts in the ICBM force. You met with Vice President Biden and wrote the President, along with the entire bipartisan ICBM Coalition, to express the importance of the ICBM force and ensure the treaty resulted in minimal reductions. In November, you and your colleagues in the ICBM Coalition released a White Paper, which argued that ICBMs are the most stabilizing part of America's nuclear arsenal and offer the greatest assurance to U.S. allies.

## Tough Questions

**Q1. What's your reaction to the news that Rehberg will run against Tester in 2012?  
Can Rehberg beat Tester?**

**A1.**

- Jon's worked hard every day he's been in the Senate.
- He's a third-generation family farmer who's gotten a lot done for our state.
- His record of doing what's best for Montana will stand up against anyone's, and there's no question he's the best guy for the job.
- I look forward to helping him.

**Q2. District Judge Donald Molloy announced his plans to move on – any word on who will replace him?**

**A2.** I put together a bi-partisan committee, comprised of five of Montana's top legal minds from across the state to help choose a recommendation for this position. They have submitted a recommendation and I forwarded their choice to President Obama. Out of respect for those recommended, I will keep the committee's choice confidential until we're further along in the process.

**Q3. What's the latest from Washington, Max?**

**A3.** In the last couple weeks we introduced some important legislation to get focused on jobs and doing what's right:

1. The VETs Jobs bill to provide tax cut for businesses who hire veterans.
2. The American Security and Freedom Fuels Act of 2011 which aims to boost Montana jobs and reduce dependence on foreign fuels.
3. 1099 repeal to get rid of paperwork burdens that will bog down Montana businesses.

**Q4. Max, what's going on with wolves?**

**A4.**

- I plan to re-introduce legislation that puts wolves under Montana's management in the new session of Congress.
- Montana can do a better job of controlling wolf populations and protecting livestock and elk herds than the federal government.
- Montana has an excellent management plan in place and it shouldn't be set aside because Wyoming's plan continues to come up short.

**Q5. What is your reaction to the Florida court ruling that the health care law is unconstitutional?**

**A5.** There are many courts considering various cases related to the new health law. Two other federal judges have ruled that the law is constitutional. I'm very confident that when the question is ultimately decided, the law will be upheld completely.

**Q6. The Senate voted on repealing the new health care law. What's your stance and what's going to happen going forward?**

**A6.** On Wednesday we voted to keep benefits of the Affordable Care law that are working for Montanans, including:

- Relief for thousands of Montana seniors who need help paying for expensive prescription medicines,
- Tax cuts for as many as 26,000 Montana businesses
- Protections for kids who are sick with pre-existing conditions.

We also voted to improve the law by getting rid of a paperwork provision called 1099. That provision was unneeded red tape that Montana businesses said wouldn't work for them.

This law can be improved to work even better for Montana. But we can't afford to hand power back to insurance companies, blow up our deficit by more than \$1 trillion and raise taxes by getting rid of \$460 billion in tax cuts the new law provides.

Let's keep working together to improve on what's working in the law, fix what isn't and move on to the business of creating jobs for hard-working Montanans.

**Q7. What do the Montana Legislatures' efforts to repeal health care reform in the state mean for the law?**

**A7.** Repealing health reform will blow up the federal debt, eliminate tax cuts and hand back power to insurance company CEOs. That doesn't make sense.

The health care law is already working to make Montanans' lives better. For example:

1. Businesses are getting tax cuts to provide health insurance.
2. Insurance companies can no longer deny coverage for children who are sick.
3. Older kids can now stay on their parents' health insurance up to age 26.
4. Seniors are getting much-needed help to cover the cost of expensive prescription medicines.

There are ways we can work together to make this law work even better for Montana. For example I've asked my colleges to join me in getting rid of a provision that would put too much of a burden on Montana small businesses by creating more paperwork.

We can't afford to throw out the law and blow up our debt by more than \$1 trillion.

**Q8. How's the Farm Bill working out so far? What's the latest on the next one?**

**A8.** Agriculture is the backbone of Montana's economy and the Farm Bill will ensure it stays that way. Before we wrote the last Farm Bill I traveled across Montana asking producers what they needed. At every stop, producers said they needed dependable disaster assistance. Farmers need to know that when weather related disasters strike, a dependable safety net exists and that's why I wrote a permanent disaster assistance trust fund into the Farm Bill.

We will have hearings in Congress to make sure we pass the next one on time. In the coming months, I will travel the state again, holding listening sessions where everyone will have a chance to weigh in.

**Q9. Max, GOP leaders have indicated they might strip funding for Essential Air Services (EAS) as the Senate discusses reauthorizing FAA. Is this really going to happen?**

**A9.** Montana jobs depend on the program and I will fight efforts to pull the plug on it. Essential Air Service is essential to Montana jobs. While it is important to rein in the deficit, axing programs like EAS will actually cut jobs, shrink the economy and diminish our ability in Montana to attract business to our state. It's important that we improve the program and boost efficiency – not drop it completely. I will not turn my back on communities who rely on EAS as a lifeline to reliable air travel and business.

In fact, I am now the founding chairman of the Senate's Essential Air Services caucus.

**Q10. This week, US Dept. of Transportation switched eastern Montana's EAS from Great Lakes Aviation to Gulf Stream, effective May 1<sup>st</sup>. Is this the right thing for Montana?**

**A10.** I am monitoring this situation very closely. Essential Air Service is very important to Eastern Montana and I've fought to preserve the EAS program for decades. I appreciate the input of the Montana EAS Board. The U.S. Department of Transportation is expected to decide which carrier it will award the service. I'm working hard on a good FAA reauthorization that will provide strong EAS funding. With a new House majority, we have to restart last year's unfinished bill from scratch.

**Q11. Are you concerned that missile reductions in the New START Treaty will cut jobs at Malmstrom?**

**A11.**

- The START treaty provides us with the tools we need to keep nuclear weapons from getting into the hands of terrorists. It is supported by our military commanders and critical to our national security.
- The ICBM force is also critical to our national security. There is no better place for those ICBMs than in Montana and no better folks to make sure they remain secure than the airmen serving in Montana.
- There was some talk about making deep reductions to the ICBM force. I made it clear to the President that was unacceptable, and fought hard to make sure the START Treaty recognized the critical role that ICBMs play in U.S. national security.
- As a result of those efforts, we are confident that Malmstrom, and the entire ICBM force, will remain a key part of defending the United States for decades to come.

**Q12. Republicans in the House have vowed to take bold measures to reduce the national deficit. What's it going to take to tackle this issue?**

**A12.** I will review any effort to reduce the deficit by looking at whether the proposal will create jobs. No one is more concerned about reducing the deficit than I am and I'm committed to working hard to find real solutions that also create good-paying jobs for Montanans. I'm fighting to cut taxes because the best way to reduce our deficit is to grow our economy by letting working families keep more of their hard-earned money.

We've also got to crack down on waste, fraud and abuse of taxpayer money. I've fought hard to close loopholes that allow corporations to avoid paying the taxes they owe the American people by hiding money overseas. My bosses in Montana expect me to keep working together with colleagues on both sides of the aisle to tackle the deficit in a bipartisan and responsible matter.

**Q13. Critics say earmarks add to corruption in Washington and add to the deficit. Why do you continue to support earmarks?**

**A13.** An earmark ban is just a political gimmick. Earmarks only account for 0.3 percent of the government's budget. Banning them won't provide a serious solution for lowering the federal deficit.

Banning earmarks will make it harder for us to support for roads, schools and infrastructure that create good-paying jobs in Montana.

And banning earmarks will take power away from Congress and hand it over to the President and Washington Bureaucrats. If we leave it up to these folks to decide, they'll choose to fund a New York City subway system over the Ekalaka-Alzada Highway every time. We need this tool to fight for rural states like Montana. Instead I'm fighting for jobs and investments in our state.

And I will always fight for transparency in the earmark process.

**Q14. Why did you vote against the Deficit Commission's recommendations?**

**A14.** The federal deficit is a serious problem and I am committed to finding real solutions. The Deficit Commission recommendations will disproportionately hurt rural America. The best way to reduce our deficit is to grow our economy by letting working families keep more of their hard-earned money. There are other solutions we've got to focus on including ending wasteful subsidies to insurance companies and cracking down on loopholes in our tax code that allow big corporations to hide money offshore.

**Q15. Max, do you support a Balanced Budget Constitutional Amendment?**

**A15.** I'm focused on working together to create jobs and make the tough decisions necessary to cut wasteful programs, close loopholes and make our government more responsive and efficient.

**Q16. A lot of voters expressed their frustration during the midterm elections. How should the new Congress respond to their message?**

**A16.** It's my job to work together with anyone who will join me to do what's right for Montana and what's right for the country. I am trying to cut through the partisan bickering and get people focused on creating good-paying jobs. I've worked hard on legislation that creates good-paying jobs in Montana, makes the state a leader in the energy industry and provides quality, affordable healthcare.

**Q17. Senator Tester has expressed strong support for changes in the Senate rules to eliminate secret holds and change the filibuster. Why did you vote against these changes?**

**A17.**

- Open, honest debate is a cornerstone of democracy and I fully support efforts to make government more transparent and I voted for eliminating secret holds.
- Changing the filibuster is not to be taken lightly. The filibuster has been around for more than 150 years, more than 30 years in its current form. I've used the filibuster to prevent legislation that's wrong for Montana like privatizing Social Security. After the crash of the stock market, just think where we'd be without the filibuster. Before we change decades of precedent I think we need to think long and hard to make sure we understand all the possible outcomes.