

DISAPPROVING RULE SUBMITTED  
BY DEPARTMENT OF THE INTERIOR  
RELATING TO BUREAU OF  
LAND MANAGEMENT REGULATIONS

Ms. CHENEY. Mr. Speaker, pursuant to House Resolution 91, I call up the joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 91, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 44

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Bureau of Land Management of the Department of the Interior relating to "Resource Management Planning" (published at 81 Fed. Reg. 89580 (December 12, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentlewoman from Wyoming (Ms. CHENEY) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentlewoman from Wyoming.

GENERAL LEAVE

Ms. CHENEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.J. Res. 44.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, BLM Planning 2.0 is yet one more example of Obama-era Federal Government overreach. It takes authority away from people in local communities, in my home State of Wyoming, and all across the West. It takes authority away from our elected representatives at a local level, and it puts Washington bureaucrats in charge of decisions that influence and impact our lives.

It significantly dilutes cooperating agency status, and it discounts input from those who are closest to our land and our resources. BLM 2.0 is an example of the midnight rulemaking that we saw that was so rampant in the Obama administration. In fact, it is an abuse of that rulemaking process.

By statute, Mr. Speaker, the BLM is supposed to manage our public lands for multiple use and for sustained yield, but instead we have seen consistently throughout the last 8 years the Obama administration doing everything possible to deny all human use of our public lands.

This rulemaking isn't based on the language of the statute that underlies it. It is based, rather, on policy preferences that have been expressed in memos and in various studies. The rulemaking takes another step in imposing a brand new mitigation formula that essentially is a land grab by a Federal agency that would put even more land under the control of Washington bureaucrats.

Despite the fact that these agencies are required to consider costs as they impose regulations, BLM 2.0 was imposed not only using cost estimates that are clearly wrong, but, in fact, it removed all reference to looking at the devastating impact that this rule has on our local economies across the West.

This rule takes away authority and power from those who know best how to manage our lands and how to manage our resources. In fact, it opens up our planning process to such an extent that we could have foreign, nongovernmental organizations having just as much say in how we manage our land and resources as the very stakeholders—the ranchers, the farmers across Wyoming and the West, and the people that they have elected to speak for them.

In short, Mr. Speaker, this rule takes authority away from those who know best what we need to do to manage and sustain our resources, and it puts it in the hands of the Federal Government and bureaucrats here in Washington, D.C.

Repealing 2.0 using the Congressional Review Act will help to restore the voices and input. It will help to restore democracy and help to restore authority to our local communities.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is time to face the facts. Congressional Republicans do not value our Nation's public lands the way everyday Americans do. I know this because they opened the 115th Congress by adopting a rules package that makes it easier to sell our national parks and national forests to the highest bidder without pesky budget rules getting in the way. That was just a start.

Last week, they voted to gut clean water and clean air protections in coal country, suspended a rule requiring oil companies to disclose payments made to foreign governments, and pulled a plug on a waste prevention regulation that would have saved money and improved air quality.

Today, their assault on the environment and our public land continues with this misguided effort to scrap the Bureau of Land Management's effort to update its planning rule. This resolution targets what is commonly known as Planning 2.0, an initiative to make public land management more transparent and efficient by enhancing opportunities for public input and utilizing actual science.

The American public does not support erasing this new planning rule, and they certainly don't support the broad antipublic land agenda being pushed by the Republicans.

Our constituents are sick of seeing corporate interests, especially big polluters, come first. They do not want their national parks and cherished natural places turned over to industrial polluters. We have seen this in the massive response to the Dakota Access pipeline, heartbreak over what happened in Flint, Michigan, and the millions of people who marched worldwide on the first full day of this new administration.

Just last week, we saw how much Americans truly value their public land. After a prominent Republican introduced a bill to sell off more than 3 million acres of taxpayer-owned land, thousands of people picked up the phone and called their Representatives to express their outrage. Because of that passion and deep concern, the sponsor of that bill has vowed to withdraw it from consideration for the first time in five Congresses.

This is an important story because it speaks to our constituents' true priorities. They sent us here to be responsible stewards of their special places. They sent us here to protect their national parks and public lands. They sent us here to make government work for them.

This resolution fails on all those tests.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP), the chairman of the Natural Resources Committee.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to speak on this different kind of rule. It is basically a rule defining a rule that defines future activity. So it is somewhat convoluted.

But this is a regulation—one more of those broad, midnight regulations—that affects 250 million acres of land, almost all of which is found in the West. Even in my own district, it will affect 3 million acres of land; that means something that is bigger than the State of Delaware and Rhode Island combined. It affects us with disastrous consequences. As has been said, this dilutes local and State voices and centralizes power here in Washington, D.C.

By law already, the agencies have got to meet with local and State leaders and coordinate, which they are not doing well. This undermines that specifically, and it stacks the deck from the very beginning against counties and State voices and against multiple use.

This puts special interest groups above elected local officials, which is not the way it was ever intended to be. There are 60 different organizations that are begging us to repeal this bad rule.

In my district, the Duchesne County Commissioners wrote us to say:

"Our constituents are good stewards of the land, dedicated to meeting environmental requirements, while developing and supplying affordable energy to consumers. We believe Planning 2.0 presents multiple challenges that will prejudice multiple use interests with a bias. . . ."

That bias is clearly there. That bias is shown in the mitigation factor within this. Within the bowels of the Department of the Interior, they have shown us how they are going to implement this rule, which means if there is any kind of economic or recreational opportunity and you want to develop, say, like 50 acres to do that, they will insist that you go out and buy either State or private land as a mitigation for those 50 acres. And if you can't find additional private or State lands, you hold up the entire process.

Either way, you expand the amount of acreage the Federal Government will do, and that is part of this Planning 2.0 process. That is why it is so ludicrous.

Duchesne County participated in the rulemaking process for Planning 2.0, but like all the other counties, States, and local governments, their concerns were ignored and their opinions were excluded in the final rule. We had two separate hearings on this issue, but all the testimony that was heard was also ignored and no input was given to them at that time.

Look, counties like Duchesne are in dire situations, especially in the West. They need to be consulted. That is their role and responsibility. That is what a democracy in the republican form of government does.

This rule bypasses them. It cuts out their voice, and it puts in programs like that mitigation, which is definitely scary and has absolutely negative connotations for the future.

This is a perfect rule that needs to be rolled back because it goes too far, it was done at the last minute, and it undermines the kind of input we need to make proper decisions.

I compliment the gentlewoman from Wyoming for presenting this rule. This is one that has got to go. I urge Members' support of her resolution.

Mr. GRIJALVA. Mr. Speaker, I yield 4 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS), a member of the Natural Resources Committee.

Ms. TSONGAS. Mr. Speaker, last week, the Republican majority pushed through legislation attacking clean air, clean water, and blocking public transparency into payments made to foreign governments by oil and mining companies.

Today we are considering legislation that will roll back opportunities for the American people to have a say in how our Nation's public lands are managed. The idea that there should be national public lands that belong to and are managed on behalf of the American people is a value that dates back to the founding of our country and is embedded in our Constitution.

Generation after generation of Americans has endorsed the idea that our public lands should be managed to balance many competing uses: recreation, responsible economic development, sustainable resource extraction, renewable energy, military purposes, and conservation of historic American landscapes, just to name a few.

We all want to see this important aspect of our national heritage managed in an effective and efficient manner, balancing conservation for future generations with sustainable productivity for local communities.

The Bureau of Land Management's Planning 2.0, as it is known, will help us better achieve this balance on the approximately 245 million acres of land managed by the BLM. As American citizens, we all have a right to provide input on how we would like to see these public lands managed; but the current process for doing so is slow, lacks transparency, and fails to incorporate over 30 years of updated science and understanding of our changing climate. In fact, this process hasn't been substantially updated since the Reagan administration. States, local governments, and other stakeholders all agreed that the process was in need of updates.

BLM agreed with this consensus and began a 2-year review, receiving over 3,000 public comments on what changes needed to be made. Two years, 3,000 public comments, this was no midnight regulation. Their final product, which the resolution before us today would permanently overturn, increases transparency, enhances the role of science and decisionmaking, and strengthens the role of the public's voice earlier in this planning process.

□ 1400

Planning 2.0 also upholds the Federal Land Policy and Management Act's commitment to States, local government, and tribes in land management decisions.

The Bureau of Land Management made several changes in between the draft rule and the final rule to clarify coordination requirements and promote consistency with local land use plans, all in response to concerns raised through the public input process.

According to a BLM fact sheet on the final rule, "The new rule does not change the special relationship and opportunities provided by statute for co-operating agencies," and, "The final rule establishes several new opportunities for coordination between the BLM and our government partners."

We should be working together on proposals that strengthen management of our public lands, balance conservation with economic development, and provide sustainable benefits to the people who rely on them for their economic livelihoods. The resolution before us today flies in the face of these goals.

I urge my colleagues to reject this Congressional Review Act resolution and vote "no."

Ms. CHENEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, of all of the stifling, bureaucratic, pettifogging regulations that Congress is now repealing from the previous administration, none is more deserving of repeal than the BLM's Planning 2.0 rule.

This rule governs the process for creating resource management plans. If they are done wrong, they can devastate the economies of the communities that are impacted by those lands. A new RMP can crush an industry, and it can destroy a community, which is why States and counties across the West have been anxiously watching this process unfold.

Despite serious concerns being raised by State and local governments—by farming, livestock, and energy production groups, and even by Congress during the rulemaking process—the Bureau of Land Management charged full steam ahead and finalized this rule. The BLM assured stakeholders that the final rule governing this process would not undercut State and local voices. But, when the BLM realized that the election of President Trump endangered the environmental left's stranglehold on this agency, the Planning 2.0 rule was hastily finalized in contradiction of almost all of the promises that the BLM made.

The Planning 2.0 rule is a gross expansion of BLM's power, and the power of well-funded political groups that use the veneer of environmentalism at the expense of local communities. Under BLM's current RMP procedures, our Western counties already complain of having their voices ignored and their interests disregarded.

Last year, the Federal Lands Subcommittee held a field hearing in St. George, Utah. We heard how the city of St. George was experiencing economic growth, pushing the limits of its infrastructure, and how the city had tried over and over to engage the BLM in the development of a new RMP to address the needs of the local community. The city was desperate for the new RMP to include a transportation corridor for a new road to meet the needs of their growing economy. In their testimony before the subcommittee, the city relayed that they were unable to secure regular meetings with their local BLM office, despite the BLM office holding frequent meetings with local environmental groups.

In the end, the RMP was released and there was nothing to account for the transportation needs of the people of St. George. In a State that is two-thirds owned by the Federal Government, I find it hard to believe that the BLM could not have worked with the city of St. George to accommodate a simple road.

With these kind of results under BLM's current planning regime, it is no wonder that counties across the West are weary of a new planning rule.

BLM should be focused on improving their collaboration and coordination with counties and local governments. Instead, this rule enshrines that disregard into formal Federal regulation.

I urge adoption of the resolution.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BEYER), a member of the Natural Resources Committee.

Mr. BEYER. Mr. Speaker, I think the real question for the majority is: What do you have against Secretary-elect RYAN ZINKE? He is being given a brand-new rule and the keys to the castle. He has a clean slate to develop the play-book for a hugely impactful planning process and free rein to make it what he wants.

Yet, one of the first moves the majority is making, before Mr. ZINKE has even been confirmed, is to undo Planning 2.0 and leave the agency with a planning process that was written before my staff was born. In other words, the majority is tying Mr. ZINKE's hands.

Quite simply, the majority is laboring under the false impression that Planning 2.0 makes the BLM's planning process worse when, in fact, it makes it better. Under the current regulatory framework for resource management plans, it takes BLM an average of 8 years to update and revise a plan, and this matters because, by the time the plan is completed, it is almost already out of date. Significant public involvement doesn't happen until the end of the process. There is often litigation which stalls the process even more. This is a huge waste of government resources and taxpayer money.

Mr. Speaker, as Ranking Member GRIJALVA said earlier, the use of the Congressional Review Act to revoke BLM Planning 2.0, or any other Federal regulation, is a radical step. That is the reason why the Congressional Review Act has only been used once before this year.

Once Congress approves the Congressional Review Act resolution, the agency can never issue a similar rule. So this is an extreme overreach in general, but especially for something like BLM's Planning 2.0, which is designed to enhance efficiency and make BLM more responsive to public input.

Isn't our goal to improve how government works and make it more efficient? This resolution will permanently lock us into an old rule that didn't work for anybody.

I know House Republicans and President Trump are eager to roll back regulations, but we should pump the brakes on this particular resolution. A lot has changed since 1983.

Ms. CHENEY. Mr. Speaker, my colleague from Virginia may not be completely aware of the implementation and the effect of this rule in Western States like Wyoming where, for example, the process that has been described as an open process is, in fact, one where, in my State, our Department of Environmental Quality on another

BLM rule was in a position where they agreed to be a cooperating agency and then did not hear from the BLM for 4 years.

When you are talking about our very livelihood, you are in a situation where we simply can't run that risk. We cannot adopt a rule or let a rule stand that expands that kind of authority in Washington, no matter who is in charge in Washington.

Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Speaker, the Bureau of Land Management manages 245 million acres, or nearly 10 percent of the total area of the United States, and a whopping 700 million acres of mineral estate. Nearly all of this acreage is in our Western States, which makes it imperative that the agency extensively cooperate with the State and local governments during the planning process.

It is true that the BLM's new planning rule, Planning 2.0, included revisions to several aspects of the planning process, some of which seemed to make some good sense.

Unfortunately, the new rule also introduced a significant measure of confusion regarding how planning areas would be determined, and, most distressingly, diminished the historic and valued role that State and local governments play throughout the process.

In many of the counties in my district, it is not uncommon for the public lands to make up well over half of the total area. For these communities, having an equal seat at the planning table isn't merely a luxury. It is an essential ingredient to ensuring that our way of life is proudly maintained over many generations and is not extinguished.

Because of this, the BLM is required by law to consult and to coordinate with State and local governments and maintain consistency across their management plans and policies. Yet, the agency's new planning rule envisioned weakening that partnership in several regards. For one, the agency intends to dismiss consistency requirements with anything other than the officially approved and adopted plans. This not only places an undue burden on rural communities who likely do not have the resources available to draft and maintain comprehensive plans, but significantly lessens the importance of an array of other policies and agreements that are germane to the planning process.

The importance of a State Governor's review of a Federal management plan is also reduced, as it appears to limit input only to the identification of inconsistencies with State and local plans, but precludes formal input and observations regarding other aspects of the plan.

Americans the Nation over treasure our public lands and thoroughly enjoy our ability to be able to access them. But it cannot be denied that, in many of our communities, decisions made by Federal Land Management agencies

like the BLM have amplified the impact. No planning process revision should weaken the voices of our communities as Planning 2.0 would do.

For those reasons, I urge my colleagues to support this resolution. I applaud the efforts of my colleague out of Wyoming for her efforts on this and urge passage of this resolution.

Mr. GRIJALVA. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Mrs. TORRES), also a member of the Natural Resources Committee.

Mrs. TORRES. Mr. Speaker, I rise in opposition to this resolution which would do away with the new procedures established under BLM Planning 2.0.

Planning 2.0 encourages, at its foundation, early and frequent public input. By rolling back this planning effort, public input—in particular, tribal input—will be removed.

Federally recognized tribes have the right to engage in government-to-government consultation, and, under Planning 2.0, tribal rights to participate in the planning process are clearly enumerated and protected.

By introducing the resolution we are considering today, the majority is making clear it doesn't value tribal input in the development of BLM's resource management plans. In this updated planning process, the BLM worked hard to ensure government-to-government consultation was accomplished. Tribes were encouraged to submit comments through the formal comment period and through government-to-government consultation. But BLM recognizes the hard work of tribes and has been inclusive of tribal concerns.

In fact, BLM has recognized the quality and value that tribes' traditional ecological knowledge brings to planning efforts. It is important to incorporate this information to avoid resource conflicts and to protect hunting and fishing grounds.

In many areas, the BLM and tribes actually have to manage resources together. How can they do this when tribes are not invited to be a part of the consultation process? By including government-to-government consultation early in the planning process, all taxpayers benefit in the long run because we can develop a stronger plan that doesn't end up in court being litigated.

We want BLM to be an agency that actively embraces the people who live on and use the land they manage. By formalizing the tribal consultation role and recognizing the value tribes bring to the planning process as Planning 2.0 does, the BLM is taking important steps to fully engage with all their constituents.

Land management is about looking at the bigger picture, and tribes understand that more than anyone. They deserve to be recognized in the planning process, and Planning 2.0 does that.

Repealing this rule through the CRA is shortsighted and wrongheaded. BLM

Planning 2.0 allows for the very kind of oversight and public input my Republican colleagues claim to want, and helps avoid the costly court battles they complain about.

I urge my colleagues to vote against this measure and keep Planning 2.0 in place.

Ms. CHENEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, thank you to my colleague from Wyoming for the time and ability to weigh in on this.

Today, I rise in support of the measure for congressional disapproval under the Congressional Review Act for disapproving of the BLM's 2.0 rule.

It is another midnight regulation passed in the final days of the previous administration which undercuts the resource management planning process on public lands by stripping local community input and centralizing, again, in Washington, D.C., the decision-making.

California holds some of the largest amounts of public land in the U.S. The Federal Government has approximately 46 percent of the total land in California, amounting to about 46 million acres. BLM oversees about 15 million acres of those public lands, or about 15 percent of the State's total land mass.

The abundance of natural resources and diversity of landscapes within California creates unique challenges for BLM to even fulfill its multiple-use mandate. It is essential that development of these resource management plans include close coordination with local, State, and tribal governments—the people who actually grew up and know those lands the best for all of the potential these lands could bring, whether it is for development of potential energy or timber management. Whatever those ideas are that they would have, let the locals have the input on it. These decisions need to be made with that local input so that everyone's voice is heard.

□ 1415

In strong rural areas like my own, the First District of California, close coordination between the Federal Government and local groups is vital to have good decisions be made regarding public land management. Unfortunately, what we have is nonmanagement, and we suffer for that each summer and fall with a forestry that is not managed and the inability to have an economic opportunity for those people in those areas.

The 2.0 rule does just the opposite with that collaboration. It strengthens BLM's power once again in Washington, marginalizing Western counties and districts, eliminating their ability to coordinate or challenge BLM's proposed plans in an open setting.

Under the pretext of climate change and landscape scale management, the agency's rule undermines federalism

and allows for the implementation of a previous era environmental agenda. No wonder Modoc County, in my own district, as well as other counties from Western States have sued BLM for its failure to properly engage and coordinate with the public and fulfill what the law requires for the BLM in managing these lands.

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The time of the gentleman has expired.

Ms. CHENEY. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. LAMALFA. It is time to put an end to the previous administration's legacy to shut out local input by forcing through a rule abrogating for public lands decisions based on unelected bureaucrats in D.C.

Mr. Speaker, again, I thank my colleague for yielding me time, and I ask for support of this measure.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MCEACHIN), who is a new member of the Natural Resources Committee.

Mr. MCEACHIN. Mr. Speaker, the BLM's Planning 2.0 initiative has made important, overdue updates to our process for drafting resource management plans.

These plans govern our use of more than 175 million acres of public lands. The way in which we use those lands deeply affects the environmental quality, public health, and all Americans' quality of life. It is vitally important that we get our planning right.

This rule promotes transparency and consensus, creating more and earlier opportunities for public involvement in the planning process. It encourages greater use of high-quality scientific information, and it provides for a big-picture, landscape-level response to challenges like wildfire management and invasive species. The effect is to strengthen, streamline, and democratize a process that had previously bred litigation and delay.

Mr. Speaker, I have to wonder: Which of these changes does my friend across the aisle oppose?

Mr. Speaker, in the last week, the House voted to disapprove three other rules that protect public health and environmental quality. I am disturbed by that pattern, and I am disturbed by the haste with which we have moved, especially since all of these rules took years to create and craft.

Mr. Speaker, I urge my colleagues in the majority to think of their children, their grandchildren, and all the generations to come. They deserve to inherit a rich, healthy, and sustainable world. If we continue down this reckless path, I fear they will not.

Ms. CHENEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), who is the majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I want to thank the gentlewoman from Wyoming for her

hard work on this bill and bringing it here today. Most people don't realize just how much land the Federal Government controls, and it is just a fact that someone thousands of miles away in an office in D.C. won't understand those land issues as much as the people who live on the land do.

Now, the sponsor of this bill, Ms. CHENEY, knows that in her great State of Wyoming, they constantly struggle with the Federal Government over land policies, just as California and many Western States do. Federal regulators restrict how we can build, what our farmers can grow, where our ranchers can graze, and how our people can enjoy the beauty of our land.

The Bureau of Land Management's new rule, the innocently named Planning 2.0 rule, imposes Washington's vision on land management over vast areas of the West. This was devised by people who don't live on our land and who don't know our land, and they just try to dictate how to use our land. They are undermining the very idea of multiple use of Federal lands by making the lands entirely off limits for any type of economic purposes.

Under this rule, the Bureau will cut out local and county officials even more. They will consolidate control over 175 million acres of land in 11 States out West, and that is not a small amount of land. Just to put that in perspective, that is over 261 times the size of Rhode Island.

Using the Congressional Review Act today, we will be able to overturn this last-minute power grab from the Obama administration and bring some power back to the people. The American people should have the power back again to write their own future.

I want to thank Congresswoman CHENEY for keeping her word and for standing with Wyoming and all those out west who care for their land and want those locals to be able to control and to understand where it is best to graze, to care, and to build, not somebody in Washington to dictate what to do with it.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, using the Congressional Review Act to nullify a Federal regulation is indeed a radical move. It has only been done once before this year, but now it has become a regular part of the Republican playbook.

BLM's Planning 2.0 is not some midnight regulation that was rushed through at the last minute. BLM went through a transparent rulemaking process and responded to thousands of comments. We had two hearings last year about Planning 2.0 in the Natural Resources Committee. BLM was only invited by the majority to one of the hearings, but the agency listened and made significant changes before publishing their final rule. This rule took 2.5 years to develop. It is not anywhere near a midnight rule.

It has been over 30 years since BLM updated the regulatory framework governing its planning process. That

means we are relying on Reagan-era rules that were put in place before the widespread availability of cellphones and digital mapping techniques to oversee everything from energy permitting to cultural resource management on over 250 million acres.

Everyone engaged in the management of our public lands wants to see this process improved. Planning 2.0 is that opportunity. However, if this resolution becomes law, BLM will never be allowed to evaluate and modernize this process, and we return to management planning from the 1980s. That is not a good outcome for anybody. The resolution is irresponsible and needs to be rejected.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, on December 12, 2016, the Obama administration published another overreaching midnight regulation in the form of the BLM's new resource management rule, commonly referred to as BLM 2.0. That same day, six Western States filed a lawsuit alleging the new rules will severely impair their ability to work with the BLM on future planning and management issues.

More than 3,350 comments were submitted on BLM's Planning 2.0 rule. Rather than reviewing and incorporating those suggestions, the Obama administration hastily rolled out another midnight regulation that failed to address the technical flaws raised during the public comment period.

Let me be clear: Planning 2.0 takes planning decisions away from local communities and centralizes those decisions with bureaucrats in Washington, D.C. BLM's Planning 2.0 rule is a significant departure from the planning process that has existed more than three decades and allowed significant local government involvement.

Planning 2.0 directs the BLM to perform large, landscape-scale planning efforts that stretch across county lines and State lines. This new regulation allows radical, special interest groups from other States to have the same influence as county and local officials in the planning process.

In many counties in the West, less than 20 percent of the land is privately owned. According to the nonpartisan Congressional Research Service, the Bureau of Land Management manages more than 247 million acres of public land and administers about 700 million acres of Federal subsurface mineral estates throughout the Nation.

Rural counties and Western States depend on their ability to use BLM and public lands in order to support their livelihoods. Critical activities like grazing, forest thinning, mining, recreation, responsible energy development—including wind and solar—all take place on these lands and are the lifeblood of many communities. Unfortunately, Planning 2.0 will prevent

many of these uses on BLM lands and cause significant harm to local communities.

The American Farm Bureau Federation supports Representative CHENEY's bill and opposes Planning 2.0, stating: "We . . . are concerned that the Planning 2.0 rule will diminish the statutory requirements multiple use and dismantle the cooperative ideals of Federalism. . . . BLM did not fully evaluate the impacts on consumers, public lands-dependent ranching families, energy, mining, recreation, and rural communities across the American West."

The U.S. Chamber of Commerce, who is key voting in support of the bill, stated: "This Obama administration 'midnight regulation' undercuts States from fulfilling their role as managers of resources and land use decisions. The shift in authority away from local planning and land management will inherently jeopardize jobs throughout the West in industries ranging from timber, energy, mineral development, grazing, and recreation."

Western Energy Alliance has also raised serious concerns about BLM 2.0 and has urged adoption of Representative CHENEY's bill, stating: "Besides delaying oil and natural gas development indefinitely, Planning 2.0 would prevent ranching, mining, timber harvesting, and other productive uses of the West's working landscapes that sustain rural communities and livelihoods."

Americans for Prosperity, who is key voting in support of the bill, stated: "The process outlined by the Planning 2.0 rule is highly problematic—it limits public involvement in decisionmaking, centralizes planning in Washington rather than in State and field offices, redefines BLM's interpretation of the 'multiple use' requirement, prioritizes conservation over sustained yield, i.e. mineral leasing, and could further lengthen an already long permitting process."

The National Association of Conservation Districts supports the bill, stating: "The CRA allows for the BLM to go back to the drawing board and write a planning rule that truly increases local government involvement as opposed to centralizing the planning process."

Again, the BLM Planning 2.0 rule takes planning decisions away from local governments and, instead, allows those important decisions to be made by bureaucrats in Washington who aren't familiar with our land, water, or communities.

Mr. Speaker, I urge adoption of Representative CHENEY's commonsense bill.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when you don't look at the whole field, you make mistakes. Without using their vision, quarterbacks throw passes into double coverage and Presidents trigger angry protests of their ill-conceived policies.

Seeing the whole field is what BLM 2.0 is all about.

Instead of managing lands by looking at isolated units and only soliciting the input of local governments, this new framework takes a landscape view of BLM's multiple use mission. This update is absolutely necessary if we expect BLM to address the problems we all acknowledge the agency has. Climate change, wildfire, drought, and invasive species are just some of the problems that need landscape-level solutions. On the flip side, coordinating planning for outdoor recreation and renewable energy development across multiple BLM units will help increase the growth of these industries.

Rejecting landscape-level planning is like rejecting air traffic control; you can do it, but the results won't be pretty. By repealing this rule and locking a broken system in place in perpetuity, Republicans hope to fulfill their own prophecy that BLM does a poor job managing public lands. If enough people believe them, they think, then maybe they will achieve their goal of giving away America's public lands. The problem, though, is that not enough people believe them. Those who do are shrinking every day, and the ones who don't are making their voices heard.

People who care about sound management of BLM lands know that the Planning 2.0 rule is an important step forward. They know it isn't an abuse of executive authority or a government land grab, and they are tired of hearing from discredited voices who say it is. These views are backward looking and ignore the fact that these lands belong to a kid from Chicago just as much as they do to an oilman from Wyoming.

Landscape-scale planning allows BLM, with the input of all stakeholders, to manage across the lands. Under Planning 2.0, BLM State offices and the scientists and the land management professionals they employ are finally allowed to build a consistent land management policy that doesn't stop at the State line.

Planning 2.0 helps our land managers see the whole field and looks to the future. The majority wants to send us back to the past. We shouldn't allow that to happen.

Mr. Speaker, I reserve the balance of my time.

□ 1430

Ms. CHENEY. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, after serving on a school board, in my State legislature, and now in Congress, I have witnessed firsthand that government works better when it is closest to the people. That is why I rise today in support of H.J. Res. 44, which disapproves the Bureau of Land Management's 2.0 Planning rule.

I commend the gentlewoman from Wyoming for introducing this legislation on behalf of her constituents as

well as Americans all across the country that desire more effective government.

The Planning 2.0 rule will fundamentally change the way land management decisions are made, and I believe it will fundamentally change them for the worse. Planning 2.0 puts faith in a far-away, Washington-based one-size-fits-all approach to land management decisions.

BLM has a light footprint in my home State of Arkansas, but last year I had the opportunity to attend a field hearing in St. George, Utah. I saw firsthand the mismanagement by the BLM and how it impacts real people.

Individuals from Washington County, Utah, told our field hearing of the heavy-handed approach BLM takes toward local landowners in management decisions. Local officials talked about how BLM has also ignored the will of Congress by ensuring updated resource management plans decrease grazing permits or effectively stop the construction of roads that are authorized in Federal legislation. Land management changes should be made in a collaborative way, with ample State and local input.

Despite what some people may think, Congress and Congress' will still matters. Planning 2.0 marginalizes State and local officials in favor of unelected bureaucrats and special interests. By passing H.J. Res. 44, we will remind Federal agencies that they work for the people.

Mr. Speaker, we are not a people of the government, by the government, and for the government. We have a government that is supposed to be of the people, by the people, and for the people. The people's voice should be heard in major land management decisions. H.J. Res. 44 will make the BLM listen to their voice.

I strongly urge my colleagues to support this legislation.

Mr. GRIJALVA. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman from Arizona has 13½ minutes remaining.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, using the CRA to repeal this rule would freeze Federal land managers and the places they manage in 1983. That is the year the previous rule was written, and that is the rule we would be stuck with if this resolution passes.

Voting for this resolution means voting for outdated science; it means voting for a return to managing individual parcels with blinders on to the larger landscape; and it means continuing to ignore our changing climate.

Overtaking BLM 2.0 means you are okay with ignoring the overwhelming scientific and public support for the planning updates implemented in the rule.

Don't get me wrong, Mr. Speaker. There were plenty of great things from the early 1980s: movies like "Return of

the Jedi" and those early cell phones that were the size of bricks. And don't forget the fashions of the 1980s. I am sure people thought they looked great in parachute pants, but eventually we all updated our wardrobes.

We might have had early cell phones back in the 1980s, but we didn't have modern computing, current technologies for mapping, or even GPS. There is no doubt that it is time to update our land use planning to take advantage of these technologies and respond to new challenges and to current times.

So why are congressional Republicans so interested in blasting us back to the past? Why are they so eager to throw away 2½ years of public input into a modern, transparent, science-driven planning process?

They allege some local counties aren't happy, but we have got letters from counties saying that they support the rule, and thousands of pages of comments from the agency demonstrating that they responded to any concerns. This can't be the real motivation, Mr. Speaker.

No, the true purpose of this resolution is to tie the hands of Federal land managers so they can't manage special places in ways that might hinder pollution or cut down on private profiteering. Apparently, congressional Republicans have decided to give Representative ZINKE a parting gift as he leaves to be Secretary of the Interior. That gift is a pair of handcuffs.

If you have updated your wardrobe or your cell phone since 1983, or if you enjoy the luxury of Google Maps or GPS, I urge you to oppose this resolution because it fails to update our ability to protect our precious public lands.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the BLM 2.0 rule represents the turning back of a clock of ignoring science, ignoring the need for public participation.

Although Republicans claim they want to take power away from government and give it to the people, why do they oppose every attempt to actually do that?

They don't want the people to use citizen suits to hold polluters accountable. They don't want the people to use the NEPA process to ensure government actions aren't harming their communities. Today, they don't want the people to have increased participation in managing our public lands.

The reason, of course, is that Republicans don't want all people to have a seat at the table. They only want certain people to be there.

In this case, the old BLM planning process gave local governments in the West—many of which are cozy with mining, drilling, and grazing interests—a privileged position in influ-

encing land management planning. Given that these public lands belong to all Americans and not just those who happen to live close to them, that approach was wrong.

BLM's Planning 2.0 rule changes that, leveling the playing field and allowing more stakeholders and interested parties to get involved earlier.

Under BLM's new rule, tribes, local governments, and stakeholders across the spectrum who care about these places where they work, recreate, hunt, fish, and live are all now encouraged to provide input at the outset instead of waiting until the bitter end. This will save time and money, reduce litigation, and generally make government work better.

So why would Republicans oppose it?

Hunters, anglers, and others who value the outdoors are asking the same question and are lining up in opposition to this misguided resolution and other bills that would reduce their access to public land.

The people have grown wise to the Republican crusade to give away ownership of and authority over their lands to States, localities, and private interests. They have grown very weary of that. They understand that this resolution is part of that crusade.

So Republicans have a choice. They can continue doing favors for the dirty development interests of the past or they can embrace policies like BLM 2.0 and use it to give a boost to the ongoing jobs boom in sectors like solar, wind, and outdoor recreation. For the sake of Western economies and landscapes, I hope they choose the latter.

Planning 2.0 finally recognizes the value of the public's voice in the planning process. Let's not silence them.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, at its heart, this rule is about one thing. It is about taking power away from local officials, including local BLM officials, and moving that power to Washington, D.C., to faceless bureaucrats who sit in cubicles here in this city and make decisions that have enormous impacts upon families and upon individuals. In many cases, these bureaucrats have never been to the States, and may never be.

There is a county in my district that is 97 percent controlled by the Federal Government. I have two counties that are 90 percent controlled by the Federal Government. So many of the decisions that are made that impact these counties and these families are made in Washington rather than at the local level. That is what we are here today to talk about: this egregious consolidation and power by D.C. bureaucrats.

The Bureau of Land Management's final rule is exactly that—a snapshot of everything that is wrong with the previous administration. The rule is so flawed that a couple of administrative

fixes simply won't fix it. It has to be repealed.

The previous rule was on the book for decades. This rule was introduced and finalized in less than a year. Thousands of comments were intended to fix flawed reasoning in the rule. State and county commissioners' comments were largely ignored. Let's remember, those State and county commissioners represent the people. They understand the needs of the people.

Once again, 2.0 moves all of that decisionmaking out of the local office and back here to Washington, D.C. These D.C. bureaucrats don't have the on-the-ground knowledge of the situation; they don't know the land, they don't know the needs of the county, and they don't know the people.

That is not the only instance of diluting local voices. Planning 2.0 also undercuts the involvement of counties and other local government agencies by inviting distant voices to the planning table who would steer resource management plans away from multiple use early on in the planning process. This is a 180-degree turn from previous planning regulations.

Not only did 2.0 dilute local control, it also dilutes real local impacts. Let me explain what that means. When you look at local impacts instead of looking at the actual communities around where these decisions are being made, they can look out very broadly.

In my case, you look at a national park in Utah. They can look at the impacts of that and say, well, this has had a positive benefit, but that is because they may be looking at a community that is 100 miles away. They may be looking at St. George.

Why not look at Las Vegas? Why not look at Los Angeles and say, Oh, those communities are doing fine; the local economic impacts have been positive?

It is not a fair reflection of what is happening to the local communities. Once again, the local people, the local families.

While many lauded the BLM for giving this planning process an update—and I am glad that it did; it was necessary—they fell short of delivering a final rule that helps people. That is why I join in this effort to repeal it.

Mr. GRIJALVA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I include in the RECORD letters in opposition to this resolution. These letters come from a broad array of stakeholders, including sportsmen, county commissioners, county supervisors, and conservationists, highlighting the breadth and depth of support for Planning 2.0.

FEBRUARY 6, 2017.

DEAR REPRESENTATIVE: As organizations committed to preserving our nation's historic and cultural resources, we urge you to OPPOSE the Congressional Review Act resolution (H.J. Res. 44) to nullify the Bureau of Land Management's final planning rule, commonly referred to as BLM Planning 2.0.

The Congressional Review Act is the wrong tool to address resource management planning. While no regulation is perfect, using

the Congressional Review Act to overturn the Planning 2.0 rule would have far-reaching implications for cultural resources and management of our public lands. This resolution of disapproval would prohibit the BLM from developing any "substantially similar" regulation in the future. The result would be to replace the new regulation with BLM's prior planning rule, which is more than 30 years old and does not incorporate current technology and streamlining practices to maximize efficient and effective decision-making. Locking in inefficient and outdated regulations does not serve any users of our public lands.

The BLM's Planning 2.0 rule is designed to bring much needed efficiency, predictability, and transparency to BLM's management of multiple uses on public lands. The rule is carefully crafted to collect state and local government, tribal, and public input early in the planning process. In addition to making BLM's planning more efficient, improving available information allows project developers to consider potential impacts to environmental, cultural, and historic resources at the outset rather than being surprised by stakeholder concerns and information identified late in the process. The rule also improves the planning process by reducing the need for costly and time-consuming supplements that can delay decision-making and inhibit private sector investment.

The BLM's Planning 2.0 rule updates procedures for developing individual resource management plans that guide actions and decisions on the nearly 250 million surface acres and more than 700 million acres of subsurface mineral resources that the agency manages. These lands contain the largest, most diverse, and scientifically most important body of cultural resources of any federal land management agency, including well over a million historic, archaeological, and other cultural sites. Our organizations remain committed to promoting a responsible land management planning process that enhances public involvement, improves transparency, and promotes sound, efficient decision-making based on full information, including better data on cultural resources on our public lands.

If the resolution passes, it will make management of our public lands less efficient and less effective. Again, we urge you to OPPOSE the Congressional Review Act resolution to overturn the BLM Planning 2.0 rule.

Sincerely,

National Trust for Historic Preservation; American Anthropological Association; American Cultural Resources Association; Archaeology Southwest; Arizona Preservation Foundation; Cienega Watershed Partnership; City of Kingman, AZ; Coalition for American Heritage; Colorado Plateau Archaeological Alliance; Conservation Lands Foundation; Friends of Cedar Mesa.

Friends of Organ Mountains Desert Peaks; Friends of the Agua Fria National Monument; Friends of the Cliffs; Modern Phoenix; Montana Preservation Alliance; National Association of Tribal Historic Preservation Officers; Nevada Preservation Foundation; Site Steward Foundation; Society for American Archaeology; Washington Trust for Historic Preservation.

February 6, 2017.

DEAR REPRESENTATIVE: On behalf of our millions of members and supporters, we urge you to Vote NO on H.J. Res. 44, the Congressional Review Act (CRA) resolution to rescind the Bureau of Land Management's (BLM) Planning 2.0 regulation. This resolution is an extreme and unnecessary response to a sensible and overdue rule.

H.R. Res. 44 would invalidate a new, collaborative, science-based approach to land

use planning that boosts public engagement, improves administrative efficiency, and increases responsiveness in planning on our largest public land system. It allows managers to move beyond an outdated 30 year-old process to better address pressing challenges posed by critical issues, such as wildfire, invasive species and increased demand for domestic energy. More specifically, this new guidance:

Increases efficiency and public participation in planning. The BLM rule will save taxpayer dollars, shorten planning times, and avoid disputes by investing time upfront to collaborate with locals and stakeholders on prospective management strategies. Public voices will help develop plans with improved opportunities for participation, new electronic options for submitting input, and updated processes for filing plan protests—improving the likelihood that the plans meet Americans' broad array of conservation and resource needs.

Preserves priority status for local government in planning. The new rule carefully preserves a priority role for local government and other cooperators in BLM planning processes as directed by Congress, ensuring that final plans consider local and regional perspectives and priorities.

Increases transparency in planning. The rule will prevent closed door decision making between the BLM and special interests by updating guidance that provides the American people the ability to participate in the planning process at all stages.

Improves science-based decision making in planning. High quality data will be a foundation for BLM planning and management. Planning 2.0 will incorporate current science, geospatial data and technology to evaluate landscapes at the regional level. These changes will enable faster response to today's environmental, economic and social realities with new evaluation markers and agency flexibility to plan across traditional administrative boundaries, keeping our lands great places to hike, hunt, and fish.

Supports sporting pursuits on BLM lands. Hunters and anglers support Planning 2.0 because the rule takes steps to ensure that important habitats, such as migration corridors and other intact habitats, are identified early in the planning process so these important areas can be managed and conserved as the agency makes decisions about other public land uses.

Overturning this common sense rule will relegate hundreds of millions of acres of public lands to planning under an out-of-date rule that has not been substantially changed since 1983. The public will lose opportunities to participate in how these public lands—owned by all Americans—should be managed. Without the new rule, public land management will continue to be contentious, inefficient and costly.

Finally, if the rule is struck down by the CRA, the BLM could be prohibited from issuing a similar rule in the future, preventing the agency from modernizing its land use planning regulation to adequately address contemporary issues like energy development, grazing, wildlife, mining, conservation, recreation, cultural resources protection or any of the many multiple uses that occur on our public lands.

Planning 2.0 is a sensible and much needed rule that updates an antiquated process that limited management decisions to outdated concepts of resource planning, and instead creates a framework to support more inclusive, comprehensive planning and management on our public lands. We urge you to stand up to protect the new planning rule and to Vote NO on H.J. Res. 44.

Sincerely,

Alaska Wilderness League; American Bird Conservancy; Center for Biological Diversity; Defenders of Wildlife; Friends of the

Sonoran Desert; Grand Canyon Trust; GreenLatinos; League of Conservation Voters; Los Padres ForestWatch. National Parks Conservation Association; National Trust for Historic Preservation; Natural Resources Defense Council; Partnership for the National Trails System; Sierra Club; The Nature Conservancy; The Wilderness Society; Wilderness Workshop.

BOARD OF SUPERVISORS,  
COUNTY OF HUMBOLDT,  
Eureka, California, June 22, 2016.

NEIL KORNZE,  
Director, Bureau of Land Management,  
Washington, DC.

Subject: BLM's Proposed Resource Management Planning Rules ("Planning 2.0").

DEAR DIRECTOR KORNZE: Humboldt County includes over 86,000 acres of Bureau of Land Management (BLM) parcels, including such special places as the King Range National Conservation Area and Headwaters Forest Reserve. The stewardship of these lands is very important to my constituents, other local residents, and countless visitors to this region. It is a matter of great concern to many of us when the BLM begins to develop individual management plans for these parcels.

The BLM's Proposed Resource Management Planning Rule described at 81 Federal Register 8674 (February 25, 2016), commonly known as Planning 2.0, requires the agency to involve the public, other federal agencies, state and local governments and tribes as key partners early in the process of developing local plans. Encouraging public involvement early and often in the development of these plans is a very positive step indeed. This is especially important given that the BLM's Arcata Field Office will be using this new and more inclusive approach to public involvement as it revises its existing 1995 Resource Management Plan. I am therefore pleased to offer my support for Planning 2.0.

Thank you for your consideration.

Sincerely,

RYAN SUNDBERG,  
5th District Supervisor.

LEWIS & CLARK COUNTY,  
BOARD OF COUNTY COMMISSIONERS,  
Helena, Montana.

Re the Bureau of Land Management's Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (February 25, 2016).

NEIL KORNZE,  
Director, Bureau of Land Management,  
Washington, DC.

DEAR DIRECTOR KORNZE: The Lewis and Clark County Board of County Commissioners offer this letter of support for provisions of the Bureau of Land Management's (BLM's) Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016) (the Proposed Rules). We appreciate the effort to improve opportunities for public involvement earlier in the planning processes, including the chance to review preliminary resource management alternatives and preliminary rationales for those alternatives.

We value our relationship with our federal partners, and our constituents are impacted greatly by actions taken by your agency. Increasing access to the planning process and targeting your efforts towards greater public involvement enhances the relationship between the people and their government, and we support your initiative.

Additionally, we note that the Proposed Rules also expand opportunities for states and local governments to have meaningful involvement in the development of BLM's land use decisions. The Proposed Rules continue to provide for coordination with state

and local representatives in order to ensure, to the extent available under federal law, that RMPs are consistent with state and local land use plans, as provided in the Federal Land Policy and Management Act of 1976.

Sincerely,

MICHAEL MURRAY,  
Chairman.  
SUSAN GOAD GEISE,  
Vice Chair.  
ANDY HUNTHAUSEN,  
Member.

BOARD OF COUNTY COMMISSIONERS,  
Missoula, MT, May 23, 2016.

Re Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674.

Director NEIL KORNZE,  
Bureau of Land Management,  
Washington, DC.

DEAR DIRECTOR KORNZE: We are writing you to commend you and the Bureau of Land Management (BLM) for your efforts to improve BLM's planning process (Planning 2.0) and better address the diverse interests found in Missoula County and other communities across the western United States.

Missoula County is approximately 2,600 square miles in size, and federal management in the county accounts for 52 percent of the land ownership. The BLM manages roughly 23,000 acres for the public in Missoula County and the sustainable management of these public lands is vitally important to the residents we represent. Our citizens and local economies depend on state and federal lands for water quality and quantity, as well as for multiple sustainable uses ranging from outdoor recreation to livestock grazing to mineral exploration and development. Consequently, we wish to thank the BLM for proposing to address their land management options from a landscape perspective. This approach recognizes that the management of federal lands has a direct impact on other properties well beyond those close to or adjacent to BLM managed land.

We support the provisions of the BLM's Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016). These rules provide additional opportunities for public involvement earlier in the planning process, including the chance to review preliminary resource management alternatives and preliminary rationales for those alternatives. This early public involvement will help resolve conflicts and produce a Resource Management Plan that better reflect the needs of our citizens as well as others who use the public lands and have a stake in their future. Equally important is the improved openness and transparency the rules bring to the process, allowing any local government to actively participate and share information on issues critical to local residents and their elected representatives.

The proposed rules continue to provide for coordination with state and local representatives in order to ensure, to the extent allowable under federal law, that Resource Management Plans are consistent with state and local land use plans, as provided in the Federal Land Policy and Management Act of 1976.

Thank you for considering our comments. If you or your staff have any questions, please feel free to contact us.

Sincerely,

BOARD OF COUNTY  
COMMISSIONERS,  
NICOLE ROWLEY,  
Chair.  
JEAN CURTISS,  
Commissioner.  
STACY RYE,  
Commissioner.

THE PEW

CHARITABLE TRUSTS,

Washington, DC, February 2, 2017.

DEAR MEMBER OF CONGRESS: Next week the House of Representatives will consider H.J. Res 44, a resolution to overturn the Bureau of Land Management's (BLM) 2016 land-use planning rule. The Pew Charitable Trusts opposes this effort to reduce agency transparency and limit the public's ability to have a say in how their public lands are managed, and we urge you to vote against it.

BLM's rule, often called "Planning 2.0," establishes procedures for preparing, revising, or amending land use plans, and provides new opportunities for stakeholders to participate in the early stages of developing plans. This means that states and counties, scientists, ranchers, hunters and anglers, miners, hikers, boaters, the energy industry and other users of the public lands will have more information on what a plan will cover and will be able to express their hopes and concerns about the plan.

Increased public participation will ensure that the BLM has the best available information at the start of the planning process, before issuing draft management plans. The broad consideration of issues at this earlier stage is expected to reduce controversy later in the planning process, and reduce litigation after the plan is issued.

Planning 2.0 also includes steps to ensure that important fish and wildlife habitats, such as migration corridors and intact habitats, are identified early in the planning process so these important areas can be managed and conserved as the agency makes decisions about development, recreation and other public land uses.

The rule also includes good government provisions such as improved potential for better interagency communication, and steps that increase efficiency and ease burdens on public.

Many concerns that were raised about an earlier draft of the rule were addressed and corrected in the final rule. For example, the public comment period once a draft plan is released is now 100 days—more than the previous 1993 regulations or the original 2015 proposal allowed. The final rule also takes meaningful steps to accommodate requests from local governments and the public to improve the process, preserving the special role of state, local and tribal cooperating agencies, as specifically required by the Federal Lands Policy and Management Act.

Passage of H.J. Res 44 would force BLM to return to its previous, long-outdated planning rule, which was published in 1983. Of additional concern is that the Congressional Review Act prohibits the agency from writing a new rule that is "substantially the same" without additional legislative action. As a result, many good aspects of Planning 2.0 would be precluded from being enacted indefinitely, thereby stripping incoming Secretary of the Interior Ryan Zinke of his authority to reformulate the rule.

We strongly urge Members to work with the new administration to make refinements to a planning process that many stakeholders championed. If H.J. Res 44 is enacted, the BLM would be forced to continue using outdated guidelines for land-use planning, which keep the public and development interests alike in the dark until very late in the planning process.

If you would like further information regarding Pew's position on this resolution, please feel free to contact me.

Sincerely,

KEN RAIT,  
Director U.S. Public Lands.

CHAIRMAN ROB BISHOP,  
*Natural Resources Committee, House of Representatives, Washington, DC.*

Ranking Member RAÚL GRIJALVA,  
*Natural Resources Committee, House of Representatives, Washington, DC.*

DEAR CHAIRMAN BISHOP AND RANKING MEMBER GRIJALVA: The undersigned hunting, fishing, conservation, natural resource professional and outdoor-industry organizations represent millions of American sportsmen and women, and we are writing to express our support for the Bureau of Land Management's (BLM) recently revised land-use planning rule, also known as Planning 2.0. The revised planning rule increases federal agency transparency and incorporates best practices in land-use planning, while maintaining the important cooperating agency role of state and local governments.

Stakeholders from across the multiple-use spectrum agreed that the previous BLM planning process could be improved. Under the outdated process, opportunities for public involvement were too few, and the public didn't learn about agency plans until they were already proposed.

With the new rule, the BLM provides three additional opportunities for cooperating agency and public involvement. These extra steps enable the BLM to gather public opinion and the best available information at the start of the planning process, then vet preliminary alternatives before issuing the draft resource management plan.

Further, the revised planning rule will identify important areas for fish, wildlife and outdoor recreation well in advance of plan development so that avoidance and minimization of impacts to these vital areas can be achieved as the agency plans for a range of uses of the land through individual plans. Given advancements in wildlife science and data collection since the previous planning rule was created more than 30 years ago, these updates were sorely needed, and the sporting and wildlife communities support this revision.

Finally, local, state, and tribal governments, including county commissioners, will retain their preexisting cooperating agency status and an elevated level of involvement in BLM land-use planning as specifically required by the Federal Lands Policy and Management Act. In fact, significant changes were made to the final planning rule in response to requests from cooperating agencies.

The new rule is the product of two and a half years of collaboration and is a productive step towards improving BLM planning. If additional improvements are necessary, the undersigned organizations are committed to working with the new Secretary of Interior, interested lawmakers and stakeholders to make such adjustments. However, Congressional actions to delay or dismiss the new BLM planning rule are unnecessary and counterproductive.

Sincerely,

American Fly Fishing Trade Association; Archery Trade Association; Backcountry Hunters & Anglers; Hispanic Access Foundation; Izaak Walton League of America; Muley Fanatic Foundation; National Wildlife Federation; Northwest Steelheaders; Oregon Hunters Association.

Outdoor Industry Association; Pheasants Forever; Public Lands Foundation; Quail Forever; Snook and Gamefish Foundation; The Nature Conservancy; Theodore Roosevelt Conservation Partnership; The Wildlife Society; Trout Unlimited; Wildlife Management Institute.

WILD CONNECTIONS,

*Colorado Springs, CO, February 6, 2017.*

DEAR MEMBER OF CONGRESS: Tomorrow, the House of Representatives will vote on

H.J. Res 44, to overturn Bureau of Land Management's (BLM) new land use planning rule, "Planning 2.0", established in 2016. Wild Connections opposes this resolution and we urge you to vote against an effort that will reduce agency transparency, limit the amount of input that the public has on their public lands, and lose strong management designations for wildlife and ecological biodiversity. Wild Connections is an organization that has been promoting landscape connectivity on a watershed and ecoregion-wide basis for over 20 years and which has been actively involved in the management plan revision for the BLM's Royal Gorge Field Office, which is currently under way. As a locally based conservation organization, we believe that it is important for citizens to have opportunities to work with the BLM to decide future management for these millions of acres of public land. Planning 2.0 is a step in the right direction.

BLM's Planning 2.0 makes BLM land use management planning more collaborative and transparent. It offers more and new opportunities for stakeholders to get involved, including local governments, Indian tribes, and the general public. Planning 2.0 engages the public earlier in the land management planning process leading to more input into the process, enabling the BLM with the best available information at the onset of the planning process. More and earlier public involvement will not only broaden the scope of the plan, but will likely reduce litigation after the plan is enacted.

This new planning rule is also important for fish and wildlife habitat. Migration corridors and intact habitats are identified early in the planning process so that these important areas can be managed and conserved as the agency makes decisions about development, recreation and other public land uses. Hunters and anglers support Planning 2.0 as the rule offers wildlife corridors as a management designation, for a key type of wildlife habitat or an area of ecological importance.

As you know, the BLM's ongoing Eastern Colorado Resource Management Plan Revision has incorporated parts of the Planning 2.0 planning rule. Wild Connections and our members have benefited from the "envisioning meetings" in 6 towns and cities within the planning area, offering the public opportunities to voice their concerns and comments in preparation for the full planning effort. The BLM has received positive comments from a diverse voice of users, including outfitters, horse-packers, grazing lessees, environmental organizations, wildlife groups, hunters, anglers, snowmobilers, off-highway vehicle users, and mining claimants.

If H.J. Res 44 is passed, the BLM would return to its long-outdated planning rule, which was established in 1983. Of additional concern is that the Congressional Review Act prohibits the agency from writing a new rule that is "substantially the same" without additional legislative action. Thus many important aspects of Planning 2.0 would be precluded from being enacted indefinitely in the reformulation of the rule.

We strongly urge Members to work with the new administration to make refinements to this planning process that many stakeholders have championed. Please vote against H.J. Res 44 so—that we do not lose these important BLM planning aspects that were just carefully constructed under Planning 2.0.

Sincerely,

JAMES E. LOCKHART,  
*President.*

Mr. GRIJALVA. Congressional Republicans have a scorched Earth policy

when it comes to anything originated under President Obama. It is the same approach with the Affordable Care Act. They want to completely destroy it, regardless of any merits.

The majority is not spending all this time and effort simply to repeal this planning rule. This is one of the steps in their massive campaign to convince Americans that Barack Obama wasn't a good President. They simply can't stand to allow the accomplishments of the previous administration to stand, so they reflexively strike out to destroy anything President Obama supported.

This is not legislating. It is certainly not public service, and it isn't even smart. To paraphrase a former Speaker of the House, Sam Rayburn: anybody can kick down a barn; it takes a carpenter to build one.

This isn't how our government is supposed to work. It is especially counterproductive when it comes to something like Planning 2.0, which is specifically designed to make a Federal agency more efficient and more transparent.

The BLM rule is about bringing our land use plans into the 21st century. It is about local input. It is about using the best available science. The majority wants to return to 1983 so that politicos and developers are the only ones with a seat at the table.

We should support BLM 2.0, reject this resolution, and I urge my colleagues to do so.

Mr. Speaker, I yield back the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we have nearly 100 State and local groups supporting repeal of BLM 2.0. These are groups like the National Association of Counties, National Association of Conservation Districts, National Cattlemen's Beef Association, Public Lands Council, Western Energy Alliance, National Mining Association, Petroleum Association of Wyoming, as well as a number of Governors and local officials, including my home State Governor, Matt Mead.

Mr. Speaker, I include a letter from Governor Mead in support of this joint resolution and a joint letter from numerous other governmental and association groups in support of this joint resolution.

THE STATE OF WYOMING,  
 OFFICE OF THE GOVERNOR,  
*Wyoming, January 20, 2017.*

Hon. PAUL RYAN,  
*Speaker, House of Representatives, Washington, DC.*

Hon. STEVE SCALISE,  
*House Majority Whip, House of Representatives, Washington, DC.*

Hon. KEVIN MCCARTHY,  
*House Majority Leader, House of Representatives, Washington, DC.*

DEAR SPEAKER RYAN, MAJORITY LEADER MCCARTHY, AND MAJORITY WHIP SCALISE: The Bureau of Land Management (BLM) recently published a final rule amending regulations that establish procedures for Resource Management Planning (RMP) (43 CFR Part 1600). The final rule decreases the BLM's accountability for cooperating with state and local

governments. Specifically, it minimizes state and local government plans, programs and policies and the important role these entities should play in final RMP decisions.

This rule is a prime candidate for Congressional analysis under the Congressional Review Act (CRA). I ask that you bring this rule to the full House for consideration under the CRA for a floor debate. The BLM can and must involve state and local governments in RMP decisions and it must respect the role of state and local governments.

Thank you for your consideration.

Sincerely,

MATTHEW H. MEAD,  
Governor.

JANUARY 26, 2017.

Hon. MITCH MCCONNELL,  
Majority Leader, U.S. Senate,  
Washington, DC.

Hon. PAUL RYAN,  
Speaker, House of Representatives,  
Washington, DC.

Hon. CHARLES SCHUMER,  
Minority Leader, U.S. Senate,  
Washington, DC.

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER SCHUMER, SPEAKER RYAN AND MINORITY LEADER PELOSI: As representatives of state and local governments and public lands stakeholders from across the United States, we encourage Congress to use its legislative authority to review the Bureau of Land Management's (BLM) Planning 2.0 rule. As partners with the federal government, we continue to encourage the BLM to engage in meaningful collaboration with local stakeholders during the development of policies and guidelines. And despite representations by the BLM to do just that, we remain unconvinced that Planning 2.0 in its final form does much to satisfy the objective of meaningful collaboration and consultation with non-federal governmental entities.

Robust coordination and cooperation between states and local governments and the BLM allows federal decision-makers to be responsive to the concerns of state and local government officials during policy development and sets the stage for more effective and efficient implementation of federal policies by involving multi-jurisdictional resources and expertise. Simply put, gathering meaningful, on the ground, input from the states and localities that will be most impacted by BLM's planning regulations is critical to ensuring a practical federal policy that works at the local level.

For years to come, the proposed Planning 2.0 rule will have a substantial impact on how the BLM engages with state and local government and manages its 245 million acres of public lands and 700 million acres of subsurface minerals. We encourage Congress to act to ensure BLM's Planning 2.0 rule does not go into effect and instruct the agency to work with intergovernmental partners to ensure the policy has benefited from meaningful, on the ground, collaboration with state and local governments.

Sincerely,

Alaska Municipal League; American Sheep Industry Association; Arizona Association of Counties; Arizona County Supervisors Association; Association of Oregon Counties; Eureka County, Nevada; National Association of Conservation Districts; National Association of Counties; National Association of State Departments of Agriculture; National Cattlemen's Beef Association; Nevada Association of Conservation Districts.

Nevada Association of Counties; Oregon Association of Conservation Districts;

Public Lands Council; Rural County Representatives of California; Utah Association of Conservation Districts; Utah Association of Counties; Western Interstate Region of NACo; Wyoming Association of Conservation Districts; Wyoming County Commissioners Association; Wyoming Stock Growers Association; Wyoming Wool Growers Association.

□ 1445

Ms. CHENEY. Mr. Speaker, we know that government that is closest to the people is best. What we have seen over the last 8 years, unfortunately, in Washington, D.C., has been a massive expansion of the authority and the overreach of the Federal Government under the Obama administration. We have seen a number of instances where agencies have acted outside of the law, in some instances outside of the Constitution.

BLM 2.0 is an example of where this agency is acting completely outside of the law. There is absolutely no legal authority, no statutory language on which they can base this rulemaking, on which they can base the fundamental changes that they are making and the fundamental power grab that they are making.

It is hugely important for us, as we go forward here, to make sure that we have done everything we can to roll back regulations that are really killing our jobs, that are preventing people in our local communities from being able to make a living, from being able to consistently graze, for example, on these public lands. It is absolutely outside of the law to have a situation, as 2.0 would create, where people who have never been to these lands, people who, frankly, may not even be in the United States, have just as much a say in how we manage our lands as a rancher who has got to graze on those lands or as the county commissioners who are charged with making decisions about those lands.

A number of my colleagues on the other side of the aisle have mentioned today the thousands of comments that the BLM sought as they were going through this rulemaking process. The problem is that there is very little evidence that any of those comments were taken into account in the final rulemaking. As I mentioned earlier, the track record with respect to the BLM listening to and being willing to take into account local concerns is a very bad one in which you have got State agencies that are led to believe they will have an impact and then find themselves having radio silence, essentially, from the BLM.

Mr. Speaker, Planning 2.0 is a dangerous and damaging rule. Overturning it today, through the Congressional Review Act, through this joint resolution, will enable us to begin to restore authority where it belongs: with our local communities, with our local elected officials. Those who are closest to the land, those who have to work on the land, those who make a living on

the land are the absolute best stewards of our land and of our resources.

Mr. Speaker, I urge the adoption of this measure to repeal BLM Planning 2.0.

I yield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 91, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRIJALVA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY DEPARTMENT OF EDUCATION RELATING TO TEACHER PREPARATION ISSUES

Mr. GUTHRIE. Mr. Speaker, pursuant to House Resolution 91, I call up the joint resolution (H.J. Res. 58) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 91, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 58

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Department of Education relating to teacher preparation issues (published at 81 Fed. Reg. 75494 (October 31, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. GUTHRIE) and the gentlewoman from California (Mrs. DAVIS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 58.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?