



Legislative Bulletin.....April 9, 2008

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Amendments to H.R. 2016—National Landscape Conservation System Act

H.R. 2016, the National Landscape Conservation System Act (sponsored by Rep. Grijalva, D-AZ), is scheduled to be considered on the House floor on Wednesday, April 9, 2008, subject to a structured rule ([H.Res.1084](#)), making in order the following eight amendments, each debatable for 10 minutes.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, waives all points of order against the bill itself—except the PAYGO rule—and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule allows one motion to recommit with or without instructions.

Note: The summaries below are based on RSC staff review of *actual amendment text* and thus differ from what's on the Rules Committee website. For a summary of the underlying bill, see a separate RSC document released today.

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AMENDMENTS MADE IN ORDER UNDER THE RULE

- 1. Grijalva (D-AZ).** The amendment states that nothing in this Act shall impede any efforts by the Department of Homeland Security to secure the borders of the United States.
- 2. Cannon (R-UT).** The amendment inserts language to ensure that nothing in this Act creates a cause of action (a specific legal claim for which a suit may be filed) based on inclusion within the National Landscape Conservation System (NLCS). This amendment seeks to protect those who reside or work in NLCS land from any lawsuits that may arise as a result of inclusion.
- 3. Bishop (R-UT).** The amendment removes language from the bill which states that the NLCS is established “in order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations,” and replaces it with language that plainly states, “there is established in the Bureau of Land Management the National Landscape Conservation System.”

4. Bishop (R-UT). The amendment removes language which requires NLCS land to be managed in a manner that “protects the values for which the components of the system were designated,” and replaces it with language that requires NLCS land to be managed in accordance with applicable laws relating to each component of the system. In the past, determining the “values” of National Park Service (NPS) units has proven difficult and has resulted in litigation. This amendment seeks to clarify NLCS management guidelines.

5. Bishop (R-UT). The amendment states that “nothing in this Act is intended to additionally restrict or hinder energy development within the system.”

6. Altmire (D-PA)/Carney (D-PA). The amendment clarifies that nothing in this Act shall affect the authority of states to control and regulate fish and wildlife (including hunting, fishing, trapping, and recreational shooting) on public land managed by the Bureau of Land Management (BLM). The amendment also states that nothing in the Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

7. Pearce (R-NM). The amendment states that inclusion in the NLCS shall not affect current grazing rights or operations. The BLM administers over 18,000 grazing permits, which allow over 13 million authorized livestock to graze on 160 million acres of public rangeland.

8. Walden (R-OR). The amendment removes the Steens Mountain Cooperative Management and Protection Area, located in Harney County, Oregon, from inclusion in the NLCS. The 425,000 acre area is managed by the BLM and is largely protected from mining and cattle grazing.

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