



American
Exploration & Mining
ASSOCIATION

January 26, 2017

The Honorable Liz Cheney
U.S. House of Representatives
416 Cannon House Office Building
Washington, DC 20515

Re: Congressional Review Act –BLM Planning 2.0

Dear Representative Cheney:

American Exploration & Mining Association (AEMA) strongly supports the use of the Congressional Review Act to overturn the Bureau of Land Management's (BLM) Resource Management Planning Rule, otherwise known as the Planning 2.0 rule. We appreciate your efforts to bring a joint resolution of disapproval for this rule to a vote in the House of Representatives.

AEMA (formerly Northwest Mining Association), is a 122-year old, 2,000 member national association representing the minerals industry with members residing in 42 U.S. states. AEMA is the recognized national voice for exploration, the junior mining sector, and maintaining access to public lands, and represents the entire mining life cycle, from exploration to reclamation and closure. More than 80% of our members are small businesses or work for small businesses. Most of our members are individual citizens. AEMA participated in the Planning 2.0 rulemaking process, but our comments and objections, and those of other westerners, were ignored in BLM's haste to enact the rules before the conclusion of the Obama Administration.

The Federal Land Policy and Management Act of 1976 (FLPMA) established the statutory guidelines for BLM's management of federal lands. Under this Act, Congress specified that the lands are to be managed "on the basis of multiple use and sustained yield..." The law further states that BLM lands are to be "managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands..."

Many provisions of BLM's Planning 2.0 rule are contrary to and/or exceed BLM's statutory authority under FLPMA. The final rule redefines the concept of multiple-use, prioritizes preservation and conservation over sustained yield of natural resources, relegates governors, county commissioners and other elected officials to a secondary role, and limits public involvement. The rule attempts to write the governors' consistency review rights in FLPMA § 202(c)(9) out of the statute and render them meaningless. The rule would further strain BLM staff and make decision making on public lands nearly intractable, as land use planning would be an ever-present activity that would rarely be complete.

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Besides delaying mineral development indefinitely, Planning 2.0 would prevent ranching, oil & gas development, timber harvesting and other productive uses of the West's working landscapes that sustain rural communities and livelihoods. The rule would increase uncertainty for land users, create ambiguity in the planning process, and prevent productive users from conducting long-term planning. This added uncertainty would likely result in reduced development of federal minerals and other natural resources, and lead to a loss of royalty and tax revenue for federal, state and local governments.

AEMA strongly supports use of the Congressional Review Act to roll back this illegal and clear overreach of BLM authority. We urge Congress to act swiftly to overturn BLM's Planning 2.0 rule. We very much appreciate your leadership on this issue.

Sincerely,



Laura Skaer
Executive Director