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Congress has declared war on the environment

By Bruce Babbitt - 06/08/11 01:26 PM ET

Former Secretary of the Interior Bruce Babbitt delivered the following speech at the National Press Club on Wednesday.

It is now more than ten years since I left public office. I am returning to the public stage today because I believe that this Congress, in its assaults on our environment, has embarked on the most radical course in our history. Congress, led by the House of Representatives, has declared war on our land, water and natural resources. And it is time for those of us who support our conservation tradition to raise our voices on behalf of the American people.

It is clear to me that the House of Representatives will not only block progress, but will continue to sustain an assault on our public lands and water. Therefore, it is imperative that President Obama take up the mantle of land and water conservation – something that he has not yet done in a significant way. President Obama and the Executive Branch are the best, and likely only, hope for meaningful progress on this critical issue.

So I am here today to call on the president to lead us in standing up to the radical agenda of the House of Representatives, and to replace their draconian agenda with a bold conservation vision.

The opening salvos in this war were fired in April, when the new Congress enacted a budget measure, called a Continuing Resolution, to appropriate funding for the balance of this fiscal year. Beneath the cover of that budget process, however, the House leadership inserted unrelated “riders” to begin dismantling our environmental laws.

Here are three examples of these “riders.”

- In the April resolution, Congress removed the grey wolf from the Endangered Species list. The restoration of the grey wolf to Yellowstone and our northern forests was an historic achievement, now threatened by this Congress.
- In the April budget resolution, Congress terminated an administration program to rebuild our depleted ocean fisheries. The program, called “catch shares” was amazingly successful in restoring fish populations and providing fishing jobs and was on the way to becoming the most innovative environmental initiative of the Obama Administration.
- In the April budget resolution, Congress axed an initiative by the Secretary of the Interior to identify and maintain the natural character of our most important remaining undesignated public lands.

Viewed singly, in isolation from one another, these rider provisions might not appear to justify my characterization of this Congress as the most radical in history. Yet viewing them together, along with pending legislative proposals, a larger outline emerges. It is a pattern of a broad, sustained assault on nearly all our environmental laws.

The intent is to chip away, a blow at a time, at the edifice of environmental laws and regulations, avoiding a frontal assault that would call attention to the overall objective.

To illustrate, I would like today to single out for discussion, just one such area, and that is the public land laws that are so meaningful to me as a westerner and that are so much a part of our great American heritage.

The best place to observe what is happening is by reference with our two great public laws, the Antiquities Act of 1906 and the Wilderness Act of 1964.

The Antiquities Act is a great American innovation. It was enacted into law in 1906 on June 8th, the very date on which I am making these remarks. It was sponsored by a Republican Congressman and signed by a Republican President, Theodore Roosevelt.

Way then, more than a hundred years ago, the sponsor, Rep. John Lacey (R-Iowa), made this observation: "The immensity of man's power to destroy imposes a responsibility to preserve."

Since then the Act has been used by nearly every president, laying the foundation for many of our best known National Parks and other protected areas.

President Clinton used the Antiquities Act to establish the Grand Staircase Escalante National Monument, a widely acclaimed decision.

President George W. Bush used the Act to protect the marine reefs and waters of the Northwest Hawaiian Islands, the largest area ever set aside under the Act. The radical leaders of the House voiced few objections to that action by their President, perhaps because oil and gas companies have evinced little interest in the Islands.

This past April, a House rider to gut the Antiquities Act failed by a mere four votes. Now that the public has been awakened, I doubt that Congressional leaders will try another frontal attack.

However, what they are continuing to do is to chip away with piecemeal bills and amendments some of which will likely be transmuted into budget riders during the course of the summer in budget negotiations.

Here are a few examples. Rep. Denny Rehberg (R-Mont.) has introduced legislation to exempt Montana from the Antiquities Act and Rep. Raul Labrador (R-Idaho) to exempt Idaho. Similar legislation was introduced in the Senate to exempt Nevada.

Perhaps the ultimate objective of these piecemeal attacks is best revealed by a bill introduced by Rep. Rob Bishop (R-Utah) and others that would amend the United States Constitution to grant states the power to nullify Federal law.

The Wilderness Act of 1964 is the other great, generic public land law of our Nation. The National Wilderness Preservation System, with units established by Congress in virtually every state in the

Union, is an enduring achievement of many successive Congresses.

The radical leaders of the House, however, are relentlessly attempting to chip away at this law as well. Not only are certain members of Congress prohibiting any new Wilderness designations, a bill recently introduced in both houses by Senator John Barrasso (R-Wyo.) and Rep. Kevin McCarthy (R-Calif.) would eliminate our nation's Wilderness Study Areas - millions of acres no longer protected for conservation. In addition it would remove protections for National Forest Roadless Areas - watersheds that provide our drinking water, and protect the best fish and game habitat in the West. In total, this extreme bill would undo protections for more than 40 million acres of public land.

As these attacks escalate the urgent question for those of us who support and advocate for our conservation tradition is how to respond.

One alternative is to lie low, hoping that this storm will soon pass by without too much lasting damage.

Failure to respond, however, is a form of appeasement that has not worked in the past and it will not work this time. Our adversaries prefer to operate in the shadows, outside the sunshine generated by public knowledge and participation. For our opponents know that when anti-environmentalism becomes a public issue they will lose. They know that American support for our environmental heritage is wide and deep.

We made the appeasement mistake when I was Secretary. Back in 1995, another Congress, in thrall to then House Speaker Gingrich, inserted a "salvage rider" to increase logging in our National Forests onto an appropriations bill. Pressured by the timber industry and the House leadership, we capitulated and President Clinton signed the bill with the rider intact.

It was a big mistake that set off a prolonged and destructive episode in the history of our National Forests.

We did learn from that experience however. President Clinton vowed to veto any additional anti-environmental riders. The Congress, aware that when the president commands the high ground, he will carry public opinion, backed off. We did not face another rider crisis.

I'm not here, however, to dwell on the past. I am here to look forward. To sound the alarm about the assault on our natural resources by the Republicans in Congress, and also to remind the president that he has the power, the responsibility and the public support to stand up to those who would destroy our natural and cultural heritage.

The current debt limit and budget negotiations will provide President Obama an opportunity to demonstrate that he has learned from the events of April. He should stand strong against environmental riders, in whatever guise, whether legislative amendments, funding moratoria, or limitations on agency initiatives.

Drawing a line against riders is a good beginning. However, we cannot measure conservation progress by the number of bad ideas that are blocked. We should measure progress in healthy rivers and streams, forests protected, species saved and restored, wilderness areas added and national monuments created.

The Antiquities Act is a good place for this Administration to begin building a conservation legacy.

The Antiquities Act is a remarkable conservation tool that has been used to protect renowned areas including Grand Canyon, Zion, Olympic National Park and Joshua Tree National Park. The act has also played a critical role in protecting our nation's cultural resources and safeguarding dozens of archeological sites. It was used extensively by President Obama's immediate predecessors. President Clinton used the Act to establish the Grand Staircase and more than twenty other Monuments. President George W. Bush set aside a larger area than any of his predecessors – the marine reefs and waters of the Northwest Hawaiian Islands.

The Antiquities Act has, for more than a hundred years, granted the President authority to establish National Monuments. Monuments should be established through a process of public consultation both local and national, with a chance for all to be heard. But that process cannot begin until the Administration puts forth specific proposals for public consideration.

There are numerous proposals, and many important cultural, historical and environmental sites are awaiting protection. Many of these proposals have wide public support, including the endorsement of members of Congress from the areas in question.

The best way to defend the Antiquities Act is for the president to use it.

The Wilderness Act is also in need of more vigorous advocacy from its friends, including the Administration.

The critics who complain that we already have too much Wilderness have it all wrong. We have too little designated Wilderness.

Here are some facts; the Bureau of Land Management (BLM) administers more than 250 million acres of public land. More than 41 million acres of that land is leased for oil and gas. To date only 9 million acres of public land managed by the BLM has been designated as Wilderness. It is past time to bring some balance back to the public lands with the creation of more Wilderness Areas.

The designation of Wilderness is a Congressional prerogative. And every member of Congress, from whatever part of the country, has an equal voice and vote in designating Wilderness. For the public lands, wherever located, are the common patrimony of this nation, belonging to each and every citizen of this country.

President Obama should call upon the Congress to expand the National Wilderness Preservation System. A good place to begin is with the wilderness bills already introduced, most of them by members of Congress from the states where the lands are located.

And the president should remind the Congress that where wilderness legislation is being bottled up by an intransigent few, that he has the power to designate those areas as National Monuments, a designation which can carry protection comparable to a Wilderness designation.

By voicing his willingness to use the Antiquities Act as an alternative to Wilderness designation, the president can bring Congress to the table to work out conservation measures acceptable to reasonable stakeholders. President Clinton used the Antiquities Act in this fashion to work with the Congress, and it produced good results in such places as Steens Mountain in Oregon, the Colorado Canyons, the San Jacinto Mountains and Otay Mountain in California and Las Cienegas in Arizona, among others.

We also need to hear this administration in support of protection for our ocean resources. For too long the beauty and diversity and productivity of ocean life and fisheries has been taken for granted, as

limitless and beyond destruction. That is no longer the case. Every day we are learning more of the impending destruction of coral reef systems and declining productivity of our oceans.

This administration has frequently spoken of the need for responsible expansion of offshore oil exploration and production.

Well and good, but we have not heard equally strong support for enhanced conservation and protection of the most important places in our offshore waters and along our coastlines.

The link between offshore oil and the imperative for conservation of our natural resources was recognized by the Congress more than fifty years ago by creating the Land and Water Conservation Fund (LWCF). LWCF is based on a simple idea: use revenues from the depletion of one natural resource - offshore oil and gas — to support the conservation of another precious resource: our land and water.

Interior Secretary Ken Salazar has made a strong and continuing effort to persuade Congress to fund the LWCF at the level originally intended by Congress. He needs the President's firm support in budget negotiations to assure adequate permanent funding.

The most important place to demonstrate Administration leadership for mitigating the impacts of offshore drilling is in Alaska. Offshore drilling in Arctic waters poses high risks that must be mitigated with strong conservation measures.

Bristol Bay, the passageway for the myriad salmon runs that travel through the rivers system of Alaska is the greatest and most productive fishery on the planet. President Obama should use the Antiquities Act to designate the federal waters of Bristol Bay, as a National Monument, permanently off limits to oil and gas.

And as the administration opens the western Arctic slope lands to oil and gas leasing, there will be another opportunity to strike a balance between oil production and wildlife conservation. More leasing and drilling on the Arctic slope should await and be conditioned upon passage of legislation establishing protected shoreline areas and wetland regions in the far western Arctic frontier, including breeding and migration corridors for the fabled western Arctic caribou herds.

There is no issue as lasting or as worthy as the preservation of our natural and cultural heritage. Theodore Roosevelt, more than a hundred years ago, put it this way: "We have fallen heir to the most glorious heritage a people ever received, and each one must do his part to show that the nation is worthy of its good fortune."

Mr. President, America's great outdoors is under attack as never before. We need you to stand up to this assault as only the President can. You will have the lasting gratitude of the American people for generations to come.

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