

**DIRECTOR OF THE NATURAL RESOURCES LAW CENTER INPUT SOUGHT FOR
CONGRESSIONAL ACTION**

***Professor Mark Squillace advice contributed to U.S. House of Representatives' panel
emergency action to protect Grand Canyon National Park***

On June 25, 2008, the House Natural Resources Committee approved emergency legislation to bar new uranium mining near Grand Canyon National Park. Prior to the panel meeting on this issue, Mark Squillace, Director of the Natural Resources Law Center of the University of Colorado Law School, was contacted by the Pew Campaign for Responsible Mining for advice regarding how to protect public lands around the Grand Canyon from new mining claims under the Mining Law. Squillace noted that the panel could utilize authority granted under the Federal Land Policy and Management Act of 1976 (FLPMA). Squillace suggested that the House could issue *an emergency resolution* that would compel U.S. Dept of Interior Secretary Dirk Kempthorne to withdraw the remaining public land around the Grand Canyon from new uranium mining claims. However, Squillace cautioned, under FLPMA, such an emergency withdrawal of land cannot last longer than three years.

The Vote: The House's National Parks Subcommittee, led by Raúl Grijalva (D-Ariz.), drafted the emergency legislation that would remove over 1 million acres of Forest Service and Bureau of Land Management lands from future mining. Grijalva said that this was the only way to ensure that the Grand Canyon was protected from more than 1100 uranium mining claims that have been filed within 5 miles of the park. A 17-member quorum was needed for a vote, and Republicans walked out en masse before the vote on the resolution, delaying the vote. Democrat panel members then convened, and the resolution passed 20-2. Interior Secretary Kempthorne and Agriculture Secretary Ed Schafer have now been notified that the House committee is ordering the withdrawal of these lands around the Grand Canyon. However, prior such orders have been contested which might affect the implementation of the order. Secretary Kempthorne may interpret the order as advisory or informational only and, thus, could avoid taking any further action. Congress then could consider a joint resolution or bill that would be sent to the President for signature or veto.