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LUCE PRESS CLIPPINGS

New Mexico coalition suit names USDA, BLM

A relatively new coalition of citizen groups known as Americans for Constitutional Enforcement (ACE) said last week it will file suit to block the Clinton Administration's Rangeland Reform '94 proposal.

In a news release, ACE said it will name Interior Secretary Bruce Babbitt and USDA Secretary Mike Espy as defendants in the lawsuit.

The statement said the organization would attack the rangeland reform package on several points including negative effects such as loss of access to federal lands for recreation, hunting, and oil and gas development; loss of property rights; reduced timber harvesting; loss of loan stability for banks and other lending institutions; and economic impacts on ranchers who own permits and lease public lands for grazing.

The suit will see! declaratory and injunctive relief to prevent the implementation of the proposed regulations.

According to ACE, the proposed regulations violate Constitutional issues of separation of powers which denies the administrative branch legislative powers.

The Bureau of Land Management (BLM) and U.S. Forest Service proposal for reform exceed the powers granted to the land management agencies under the land management statutes passed by Congress.

Catron County Attorney
Jim Catron said, 'There are
a number of Constitutional
violations that have occurred.

The two agencies are ignoring people's civil rights and rights to due process."

He said the suit will address the specific statutory provisions and Executive Orders that the proposed regulations will violate.

These include the National Environmental Policy Act, the Federal Advisory Committee Act, the Federal Land Management and Policy Act, the Multiple Use and Sustained Yield Act, the Organic Act of 1905, Administrative Procedures Act, the Taylor Grazing Act, Public Rangelands Improvement Act, National Forest Management Act and Executive Order 12548.

Catron said the process to develop the proposed reform package applied by both agencies violates Executive Orders 12866 and 12630.

The executive committee for the coalition issued a statement saying that although the proposals haven't been implemented, "the suffering has already begun and will only get worse for every American. This abusive use of government power further erodes our protections guaranteed by the Constitution."

The news release said that ACE is seeking additional plaintiffs and financial contributions to support the action. Support is sought from individuals and organizations, state and local governments and others. Information is available from ACE, c/o Federal Lands Legal Foundation, P.O. Box 1633, Roswell, NM 88202.

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