

# WESTERN STATES CONSTITUTIONAL RIGHTS, LLC

## PRESS RELEASE

### Energy Bill's Hidden Provisions Undermine Western and Rural U.S. Property Owners

*The following press release is based on a recently prepared memorandum of law and correspondences dispatched to 13 members of Congress explaining the unconstitutionality of pending legislation discussed below.*

Polson, Montana – September 14, 2016 – Energy and forest management are not generally assumed to be interrelated policies. Nevertheless, U.S. Senator Lisa Murkowski (AK-R) is pushing a massive 792-page Senate Energy bill incorporating more than 393 amendments covering these and other policy areas. The bill in question is No. S.2012 - the North American Energy Security and Infrastructure Act of 2016, which many in Congress have not likely read. According to nonprofit Western States Constitutional Rights, LLC, S.2012 contains VERY harmful tribal government forest management provisions that could severely diminish the constitutionally protected rights of western and rural private property owners throughout the United States.

In an apparent “shell game” likely intended to disguise a hidden agenda and to confuse the American public, Congress is considering behind closed doors two versions of S.2012. It is understood that the Senate passed the Murkowski version *without* forestry measures in April 2016, while the U.S. House of Representatives passed a second version *with* both forestry and tribal forest management measures in May 2016, namely, H.R. 2647 – the Resilient Federal Forests Act of 2015. H.R. 2647 was sponsored by Representative Bruce Westerman (AR-R) and cosponsored by 11 Republicans and 2 Democrats. It seems H.R. 2647 was incorporated within the House version of S.2012 via an amendment adding new Title VII as part of “Division B, Titles I-X”.<sup>1</sup>

On September 8, 2016, the two versions of House/Senate S.2012 were submitted to a Congressional conference committee to be reconciled for ultimate passage by both chambers and signature into law by President Obama.

The House/Senate versions of S.2012 are problematic because their forestry measures embrace European-style United Nations and Agenda-21-based sustainable forest management and United Nations Indigenous Peoples Rights policies that would supersede the U.S. Constitution by implementing the non-science-based climate change-driven objectives of the White House and the U.S. “Forest Service Strategic Energy Framework.”

The Tribal Forest Management (“TFM”) provisions of House/Senate S.2012 are additionally problematic because they would racially discriminate in favor of Native American tribes. This would be achieved by effectively recognizing off-reservation aboriginal pre-European Settlement-era land and water rights where none currently exist in national federal law,