



The Rise to Power of the Congressional Anti-parks Caucus

By Jenny Rowland

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For much of the first decade of the 2000s, America's national parks were an area of rare bipartisan agreement in Washington, D.C. President George W. Bush's Interior Secretary Dirk Kempthorne proposed a \$1 billion National Parks Centennial Challenge program to raise public and private money for the National Park System.¹ First Lady Laura Bush launched new initiatives to get more young people outdoors, promoted cultural and historic preservation, and lauded and advanced the Save America's Treasures initiative, which was started by then-First Lady Hillary Clinton to protect and preserve historic buildings, documents, and art.² Likewise, Congress passed dozens of national parks, wilderness, and public lands bills with the unanimous support of its members.

Today, Washington's bipartisan work to protect America's parks and public lands seems like a distant memory. Since 2010, Congress has been incapable of passing individual parks and wilderness bills, legislators are pressing to sell off tens of millions of acres of publicly owned lands, and laws which help protect at-risk public lands—including the Antiquities Act and the Land and Water Conservation Fund—are under relentless attack.³ A Center for American Progress analysis found that between January 2013 and March 2016 members of Congress filed at least 44 bills or amendments that attempted to remove or undercut protections for parks and public lands—making the 114th Congress the most anti-conservation Congress in recent history.

There is no adequate explanation for this erosion in the congressional consensus around national parks and public lands. The transformation does not appear to be a consequence of change in public opinion. Polls indicate that overwhelming majorities of voters support the conservation of national parks and public lands and hold high opinions of the National Park Service, the U.S. Forest Service, and other federal land management agencies.⁴ Eighty-three percent of Americans, for example, would have a “favorable” reaction to their representative in Congress taking “a strong stand in support of policies to protect and strengthen national parks.”⁵ The congressional shift also does not appear to be a reaction to any particular action by President Barack Obama; each of the national monuments created by his administration has largely been supported by local communities and elected officials from the area.⁶

Research for this brief found that the breakdown of congressional support for national parks and public lands can be traced to 20 lawmakers—a group of U.S. senators and representatives that CAP has dubbed the anti-parks caucus—whose record on parks-related issues in the last three years sharply diverges from that of their colleagues and the American public. This brief profiles each of these members, reviews their records on national parks and public lands issues, and explores how they have gained power and influence in advancing their troubling agenda.

Moreover, this brief seeks to unpack the origins and motivations of the anti-parks caucus, which emerged after the Tea Party wave in the 2010 election. According to a CAP analysis, at least one of the following three attributes applies to members of the anti-parks caucus:

1. They are members of the Tea Party.
2. They were challenged by a Tea Party candidate in a recent primary election.
3. They are from districts that are less competitive than average.

Most members of the anti-parks caucus have had their re-election bids threatened by a more conservative candidate in a primary election.⁷ That being the case, it seems that these members' quixotic attacks on national parks and public lands are primarily the result of political calculation—a means of burnishing their conservative credentials. By launching an ideological attack on the government's authority to protect and preserve lands, waters, and wildlife, the anti-parks caucus is proving to conservative primary voters that it is opposed to the federal government in every way.

Defining the anti-parks caucus

This brief used the following four criteria, which are based on statements and legislative records since 2013, to identify the 20 members of the anti-parks caucus:

1. Introduction of anti-park legislation, including efforts to seize and sell public lands, undermine the Antiquities Act of 1906, open areas of protected public land to expanded drilling or mining, attacks on the Land and Water Conservation Fund, and attempts to limit publicly available land for recreation or habitat conservation
2. The number of anti-parks bills that the member co-sponsored
3. Membership in the Federal Land Action Group, or FLAG, which has stated that its goal is to “develop a legislative framework for transferring public lands to local ownership and control”⁸
4. Written or verbal statements that support anti-parks legislation or values. This includes statements made by several lawmakers that dismissed the actions but supported the cause of the armed extremists, led by brothers Ammon and Ryan Bundy, who occupied the Malheur National Wildlife Refuge earlier this year. It also includes letters, floor speeches, and statements to the media.

Anti-parks legislation

Attacks against the Antiquities Act

The Antiquities Act of 1906 gives the president authority to protect American landscapes and historical sites as national monuments. Since the law's passage, nearly every president has used it to protect important areas. Bills aimed at abolishing or weakening this law undermine needed protections for many of America's special places. The Antiquities Act is a critical tool that has helped protect many of the country's most treasured national parks, such as the Grand Canyon and Acadia, which were originally national monuments.

If a member's congressional record showed activities in at least two of the above four areas, the lawmaker is clearly active in the anti-parks movement and can be considered a member of the anti-parks caucus. The anti-parks caucus also includes any member who introduced a bill to seize or sell public lands, as well as all FLAG members. The seizure of public lands can have serious impacts on both public access and protection status. It is not a coincidence that these legislative efforts echo the extreme demands of recently indicted militant rancher Cliven Bundy and his sons, Ryan and Ammon.

TABLE 1
The anti-parks caucus

Members of the anti-parks caucus and an inventory of their legislative attacks against America's parks and public lands, January 2013–March 2016

Member of U.S. House of Representatives or U.S. Senate	State-district	Anti-parks statement	FLAG member	Introduced land seizure legislation	Introduced Antiquities Act legislation	Introduced additional anti-parks legislation	Number of co-sponsored anti-parks bills
Rep. Mark Amodei	NV-2	✓	✓	✓	✓		4
Rep. Rob Bishop	UT-1	✓	✓	✓	✓	✓	3
Rep. Diane Black	TN-6		✓	✓			0
Rep. Jason Chaffetz	UT-3	✓		✓		✓	4
Rep. Paul Cook	CA-8	✓		✓			4
Sen. Ted Cruz	TX	✓		✓			0
Sen. Steve Daines	MT				✓		1
Rep. Jeff Duncan	SC-3		✓				4
Rep. Paul Gosar	AZ-4	✓			✓		8
Rep. Cresent Hardy	NV-4	✓	✓		✓	✓	4
Rep. Raúl Labrador	ID-1	✓	✓	✓	✓		2
Rep. Doug LaMalfa	CA-1	✓					5
Sen. Mike Lee	UT	✓		✓	✓	✓	2
Rep. Cynthia Lummis	WY-at large	✓	✓				5
Sen. Lisa Murkowski	AK			✓	✓		1
Rep. Steve Pearce	NM-2	✓					6
Rep. Ted Poe	TX-2			✓			1
Rep. Chris Stewart	UT-2	✓	✓	✓			5
Rep. Greg Walden	OR-2	✓		✓			3
Rep. Don Young	AK-at large	✓		✓	✓		2

Sources: Author's analysis of legislation and statements from members of the U.S. House of Representatives or U.S. Senate official websites and the Library of Congress' Congress.gov database. For more information on these sources, see endnotes in Jenny Rowland, "The Rise to Power of the Congressional Anti-Parks Caucus" (Washington: Center for American Progress, 2016). See also Office of U.S. Congressman Chris Stewart, "Federal Land Action Group to Hold Forum on Tuesday, February 9th," Press release, February 2, 2016, available at <https://stewart.house.gov/media-center/press-releases/federal-land-action-group-to-hold-forum-on-tuesday-february-9th>.

Members of the anti-parks caucus

Rep. Rob Bishop (R-UT)

As chair of the House Natural Resource Committee, Rep. Bishop is responsible for developing and advancing the House of Representatives' agenda for national parks and public lands; this position makes him the most powerful and active member of the anti-parks caucus.

Rep. Bishop is a founding member of FLAG, a vociferous advocate for the disposal of national public lands, and a defender of antigovernment activism on public lands. Speaking about the Malheur National Wildlife Refuge occupation during the height of the takeover, he said, "I want it to end without violence, but I also understand the frustration and feelings people have working with land agencies."⁹

In addition to being one of the most vocal members in support of the land seizure movement, Rep. Bishop has spent more than three years drafting legislation that would facilitate the disposal of public lands in Utah. According to Rep. Bishop, his proposed legislation—known as the Public Lands Initiative—intends to create a "locally-driven" public lands law that is "rooted in the belief that conservation and economic development can coexist."¹⁰ However, his draft proposal would transfer 40,000 acres of public lands to the state of Utah, create loopholes in the Wilderness Act of 1964 to essentially create pseudo-wilderness areas, accelerate oil and gas development, and fail to fully protect the Bears Ears cultural area in the state's southeastern section.¹¹

Rep. Bishop is also a dogged opponent of the Antiquities Act and has introduced H.R. 1459 to undermine the president's authority to establish new national monuments.¹² In a letter to President Obama, Rep. Bishop and several other members from the Utah delegation wrote that they "do not support the use of the Antiquities Act within our community and ask that the administration withdraw any plans to do so."¹³

Additionally, Rep. Bishop has co-sponsored three anti-parks bills and introduced draft legislation that sought to kill the Land and Water Conservation Fund—a program commonly referred to as "America's best parks program."¹⁴

Sen. Lisa Murkowski (R-AK)

Sen. Murkowski is chair of the Senate Committee on Energy and Natural Resources and, like Rep. Bishop, plays a powerful role in deciding which bills will receive a hearing before Congress.

Since 2013, Sen. Murkowski has introduced four anti-parks bills or amendments and has been responsible for many of the most high-profile public lands-related votes. She introduced Senate amendment 838 to last year's budget resolution, which was nonbinding legislation that supported the idea of selling and transferring public lands to the states.¹⁵ The measure passed, and many members subsequently faced serious political backlash for voting in favor of the bill.¹⁶ Similarly, Sen. Murkowski introduced an amendment on the 2015 Keystone XL oil pipeline bill that would have released several wilderness study areas from preservation.¹⁷ The amendment also had a high-profile vote, but ultimately failed.

Sen. Murkowski has also introduced two bills in the last two years that aim to block or weaken the Antiquities Act. Both bills, S. 437 and S. 2608, would require congressional approval for all new monument designations, and would require any state within 100 nautical miles of a proposed marine monument to approve its designation.¹⁸ Sen. Murkowski has also cosponsored another Senate bill aimed at limiting the Antiquities Act.¹⁹

Rep. Mark Amodei (R-NV)

Rep. Amodei is a FLAG member and introduced H.R. 1484, the Honor the Nevada Enabling Act of 1864—which would seize Nevada public land for state control.²⁰ In 2015, Rep. Amodei also introduced H.R. 488, which would cripple the Antiquities Act by blocking the extension or creation of national monuments in Nevada, unless authorized by Congress.²¹ Rep. Amodei has also cosponsored four other bills aimed at curtailing the Antiquities Act and seizing public lands.²² In response to the occupation of the Malheur National Wildlife Refuge, Rep. Amodei signed on to a joint statement that condemned federal officials for law-breaking, rather than condemning the actions of the armed militants.²³

Rep. Diane Black (R-TN)

Rep. Black is a member of FLAG and has used the group to promote her Federal Lands Freedom Act, or H.R. 866, which would give states the opportunity to take control of the permitting process on all forms of energy development on federal lands.²⁴ Although the bill would exempt national parks from these seizures, it is still an extreme threat to those who use public lands for recreation or live near lands where energy production is likely to increase.

Rep. Jason Chaffetz (R-UT)

Rep. Chaffetz has introduced H.R. 435, the Disposal of Excess Federal Lands Act, which would dispose of 3 million acres of shared public lands by competitive sale.²⁵ Rep. Chaffetz has also cosponsored and helped draft Rep. Bishop's Public Lands Initiative bill, which includes aspects of land seizure and would create pseudo-wilderness areas and authorize expanded oil and gas development on public lands.²⁶ He has also co-sponsored three additional bills that aim to undermine the Antiquities Act or seize public land.²⁷

Most recently, Rep. Chaffetz introduced legislation that would get rid of the U.S. Bureau of Land Management, or BLM, and Forest Service's law enforcement officers—a concerning development given the recent confrontations between armed extremists and federal employees on public lands.²⁸ A recent CAP analysis found that the federal agencies that manage public lands already have too few rangers and law enforcement officers to adequately combat criminal activities on public lands.²⁹

Rep. Paul Cook (R-CA)

At the beginning of the year, Rep. Cook introduced H.R. 4313, which would allow states, counties, and private companies to claim thousands of miles of so-called Revised Statute 2477—or simply RS 2477—highways across national parks, monuments, wilderness areas, and other public lands.³⁰ The majority of the routes that fall under the 1866 statute are not typical highways, and often include dry washes, cow paths, or seismic lines from drilling exploration, that would serve to fragment wildlife, watersheds, and recreation on public land.³¹

Rep. Cook has also cosponsored four bills to weaken or prohibit use of the Antiquities Act.³² “I’ve always opposed any effort to create monuments through the President’s Antiquities Act,” said Rep. Cook in response to the desert monuments that were recently designated in California. “This time, special interest groups hijacked these monument designations and ignored the wishes of those who live closest and use the land most often.”³³ This is despite the fact that 75 percent of Californians support President Obama in protecting these lands as national monuments.³⁴

“I’ve always opposed any effort to create monuments through the President’s Antiquities Act.”

—Rep. Cook

Sen. Ted Cruz (R-TX)

Sen. Cruz introduced Senate amendment 3456 to the Bipartisan Sportsmen Act of 2014, which would have prohibited the federal government from owning more than 50 percent of the land in any state and forced any land beyond that threshold to be auctioned off or transferred to state governments.³⁵ “In my view, the BLM already controls far too much land,” Cruz said in an interview with Breitbart in 2014. “We should be reducing the amount of federal land that the BLM controls and the amount of land that the federal government owns.”³⁶

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—Sen. Cruz

Sen. Steve Daines (R-MT)

Sen. Daines has introduced four pieces of legislation to undermine the Antiquities Act: two amendments to the 2015 Keystone XL Pipeline Approval Act—S. Amdt 176 and S. Amdt 132—as well as an amendment to the FY 2016 budget and H.R. 1434, a bill that would prohibit the creation of parks or monuments by the president in Montana.³⁷ Sen. Daines has also cosponsored forest management legislation that would prioritize logging over recreation and open new areas to roads and clear cutting.³⁸

Rep. Jeff Duncan (R-SC)

Rep. Duncan is a FLAG member who has cosponsored a land seizure bill which would transfer the authority of leasing, permitting, and regulating oil and natural gas on public lands to the states.³⁹ He has also cosponsored two bills that would place strict limits on the Antiquities Act and one that would increase drilling on undeveloped areas of public lands—a policy change that Rep. Duncan has cited as one of his top priorities.⁴⁰

Rep. Paul Gosar (R-AZ)

Rep. Gosar introduced H.R. 3946, which would require an unattainable level of public input and local approval conditions for the establishment of new national monuments.⁴¹ The proposed bill would also prohibit new national monument designations of more than 5,000 acres and national monument designations within 18 western counties. Additionally, Rep. Gosar has cosponsored eight bills that would facilitate land seizures or undermine the Antiquities Act.⁴²

“Obama’s moratorium on coal production for public lands is shameful.”

—Rep. Gosar

Rep. Gosar, who has a propensity for inflammatory proposals and rhetoric, recently called for the BLM to create an inventory of public lands that would be “eligible for disposal” and criticized the recent review of the federal coal leasing program, calling it “shameful.”⁴³

Rep. Crescent Hardy (R-NV)

Rep. Hardy is a member of FLAG and introduced H.R. 1445, which would prohibit the Department of the Interior from acquiring new public lands that would be managed by the National Parks Service, U.S. Fish and Wildlife Service, or the BLM, unless the federal budget is balanced.⁴⁴ As a practical matter, the bill would prevent the U.S. government from being able to protect Civil War battlefields from development or guard against the building of private mansions on private inholdings within national parks.

Rep. Hardy introduced two amendments that would add loopholes to the Antiquities Act: H. Amdt. 597 to the most recent appropriations bill and H. Amdt. 345 to the defense authorization bill.⁴⁵ He has also cosponsored three other bills that would alter the Antiquities Act, as well as one bill focused on land seizure.⁴⁶

Rep. Raul Labrador (R-ID)

Rep. Labrador, a member of FLAG, introduced H.R. 2316, which would transfer the management of up to 4 million acres of national forest land to state governor-appointed committees of industry leaders.⁴⁷ During the occupation of the Malheur National Wildlife Refuge, he defended the militants, calling the occupation a “peaceful takeover” in the spirit of “civil disobedience.”⁴⁸ Rep. Labrador also introduced H.R. 900, which would require that all monument designations be approved by Congress and the state.⁴⁹ He also co-sponsored two additional bills that threatened the Antiquities Act.⁵⁰

Rep. Doug LaMalfa (R-CA)

Rep. LaMalfa has cosponsored five bills related to land seizure and weakening the Antiquities Act. In response to President Obama’s designation of California’s Berryessa Snow Mountain National Monument in 2015, LaMalfa gave a floor speech stating that the designation would “make it off limits to all Americans, even if you just want to go in for hiking or hunting.”⁵¹ In reality, the monument continues to be open for recreation and was strongly supported by outdoor recreation and sportsmen groups.⁵²

Sen. Mike Lee (R-UT)

Sen. Lee has offered a slew of anti-parks bills and amendments over the past few years. These include S. 361, which would dispose of Western lands by competitive sale; S. Amdt.71 to the 2015 Keystone XL Pipeline Approval Act, which would have expedited drilling on public lands; and S. 2004 that would limit the Antiquities Act.⁵³ In January, Sen. Lee introduced S. Amdt. 3022, which would stop the permanent reauthorization of the Land and Water conservation Fund.⁵⁴ Sen. Lee has also authored two amendments and co-sponsored two bills that would limit the Antiquities Act and halt the creation of new monuments.⁵⁵

Rep. Cynthia Lummis (R-WY)

Rep. Lummis, a member of FLAG, signed onto a joint statement with several other lawmakers that commented on the occupation of the Malheur National Wildlife Refuge and condemned federal officials for law-breaking, rather than taking to task the armed militants.⁵⁶ Rep. Lummis has also stated that she believes states are better forest managers than the federal government.⁵⁷ However, forests under state control are not subjected to the same kind of protections as national forests and states more often prioritize logging, mining, and development over recreational access and conservation.⁵⁸ Rep. Lummis has also cosponsored five bills with either land seizure provisions or which aim to weaken the Antiquities Act.⁵⁹

Rep. Steve Pearce (R-NM)

Rep. Pearce has cosponsored six pieces of legislation that cover land seizure, attacks to the Antiquities Act, and legislation that would prioritize logging over recreation and open new areas to roads and clear cutting.⁶⁰ In response to the occupation of the Malheur National Wildlife Refuge, Pearce issued a joint statement that condemned the actions of federal officials while failing to decry the law-breaking actions of the armed militants.⁶¹

Rep. Ted Poe (R-TX)

Rep. Poe introduced H.R. 1931, the American Lands Act, which seeks to force the sell-off of public land by competitive sale. The bill would indiscriminately sell off 8 percent of national forests and 8 percent of land managed by the BLM to the highest bidder every year until 2021.⁶² That means nearly 36 million acres of publicly owned land would be sold to corporate interests in one year alone.⁶³ Rep. Poe also cosponsored legislation that would transfer the management of leasing, permitting, and regulating oil and natural gas from the federal government to states.⁶⁴

Rep. Chris Stewart (R-UT)

Rep. Stewart, a founding member of FLAG, introduced H.R. 4579—which would turn over an estimated 6,000 miles of road right-of-ways on federal public lands in Utah for road construction and development in protected wilderness areas.⁶⁵ He has also cosponsored five bills with land seizure provisions or restrictions to the Antiquities Act.⁶⁶ “The federal government has been a lousy landlord for western states and we simply think the states can do it better,” Rep. Stewart said on the topic of seizing public land.⁶⁷

Rep. Greg Walden (R-OR)

During the occupation of the Malheur National Wildlife Refuge, which is located in Rep. Walden's district, the congressman gave a long floor speech attacking federal land management policies in the west and condoned the motives underlying the actions of the armed occupiers. "Now we see the extent they will go to in order to defend what they view as their constitutional rights," said Walden of the armed extremists.⁶⁸

A month before the armed occupation began, Walden released draft legislation that was intended to help solve long-running water management problems in Oregon and Northern California's Klamath Basin. However, among other things, the bill proposed to dispose of 200,000 acres of national forest land to counties in Oregon.⁶⁹ Additionally, Walden has cosponsored two bills that would limit the Antiquities Act, as well as forest legislation that would prioritize logging over recreation, open new areas to roads, and promote clear cutting.⁷⁰

Rep. Don Young (R-AK)

Rep. Young has recently introduced H.R. 3650, which would allow any state to seize control and ownership of up to 2 million acres of national forests, the size of Yellowstone National Park.⁷¹ If these lands are transferred to the state, they can then be auctioned off to private ownership for mining, logging, drilling, or other development.⁷² He has also introduced H.R. 330, which would require congressional and governor approval for land and marine monument designations, which would severely weaken the Antiquities Act.⁷³ Additionally, Rep. Young has cosponsored another land seizure bill and forest legislation that would prioritize logging over recreation and open new areas to roads and clear cutting.⁷⁴

Congressional supporting cast

While these 20 members of the anti-parks caucus are the clear leaders of the anti-parks movement, there are several other federal lawmakers who have played supporting roles in the deterioration of the bipartisan history of public lands legislation. Sen. Orrin Hatch (R-UT), Sen. Jeff Flake (R-AZ), Sen. John McCain (R-AZ), Sen. David Vitter (R-LA), Rep. Ryan Zinke (R-MT), Rep. Doug Lamborn (R-CO), Rep. Dan Benishek (R-MI), Rep. Scott Tipton (R-CO), and Rep. Mike Enzi (R-WY), among others, have acted as supporting cast to the congressional anti-parks caucus.

Behind the emergence of the anti-parks caucus

The public land policies of the anti-parks caucus not only differ greatly from the views of most Americans—a bi-partisan 77 percent of whom believe that the United States benefits a “great deal/fair amount” from the National Park System—but they also stray drastically from a majority of their colleagues in Congress.⁷⁵ The caucus’ positions on public lands are also not common to all Republicans from Western states. For example, congressional members—including Rep. Mike Simpson (R-ID), Rep. Dave Reichert (R-WA), and Rep. Cory Gardner (R-CO)—have worked across the aisle to protect America’s diverse landscapes and outdoor heritage.⁷⁶

Next, a closer look at the origins and motivations of the anti-parks caucus.

TABLE 2
Why the anti-parks caucus has emerged

Member of U.S. House of Representatives or U.S. Senate	State-district	Tea Party affiliation	Tea Party challenger	Competitiveness, as measured by the Cook Partisan Voting Index
Rep. Mark Amodei	NV-2			R+5
Rep. Rob Bishop	UT-1	✓		R+27
Rep. Diane Black	TN-6	✓	✓	R+21
Rep. Jason Chaffetz	UT-3	✓		R+25
Rep. Paul Cook	CA-8		✓	R+10
Sen. Ted Cruz	TX	✓		R+10
Sen. Steve Daines	MT		✓	R+7
Rep. Jeff Duncan	SC-3	✓		R+18
Rep. Paul Gosar	AZ-4		✓	R+20
Rep. Cresent Hardy	NV-4		✓	D+4
Rep. Raúl Labrador	ID-1			R+18
Rep. Doug LaMalfa	CA-1		✓	R+10
Sen. Mike Lee	UT	✓	✓	R+22
Rep. Cynthia Lummis	WY-at large	✓	✓	R+22
Sen. Lisa Murkowski	AK		✓	R+12
Rep. Steve Pearce	NM-2	✓		R+5
Rep. Ted Poe	TX-2	✓		R+16
Rep. Chris Stewart	UT-2			R+18
Rep. Greg Walden	OR-2		✓	R+10
Rep. Don Young	AK-at large		✓	R+12
Average		45%	55%	R+14.2

Note: Author’s analysis of the origins and motivations of the anti-parks caucus revealed three attributes—one of which at least applies to nearly all members of the anti-parks caucus: 1) They are members of the Tea Party; 2) they were challenged by a Tea Party candidate in a recent primary election; or 3) they are from districts that are less competitive than the average district.

Sources: Author’s analysis based on David Wasserman, “Introducing the 2014 Cook Political Report Partisan Voter Index” (Washington: The Cook Political Report, 2013), available at <http://cookpolitical.com/story/5604>; The Cook Political Report, “Partisan Voter Index by State, 1994-2014” (2013), available at <http://cookpolitical.com/file/filename.pdf>; Tea Party Caucus via Wayback Machine, “Membership,” available at <https://web.archive.org/web/20121212040121/https://teapartycaucus-bachmann.house.gov/membership> (last accessed March 2016); CR Wire, “Largest Tea Party Group In America Endorses Ted Cruz,” *Conservative Review*, January 31, 2016, available at <https://www.conservativereview.com/commentary/2016/01/tea-party-patriots-endorses-cruz/>; David M. Herszenhorn, “Senate Tea Party Caucus Holds First Meeting,” *The Caucus*, January 27, 2011, available at http://thecaucus.blogs.nytimes.com/2011/01/27/senate-tea-party-caucus-holds-first-meeting/?_r=0; Lisa Mascaró, “Meet Jason Chaffetz: The congressman who wants to be House speaker,” *Los Angeles Times*, October 7, 2015, available at <http://www.latimes.com/nation/politics/la-na-jason-chaffetz-five-things-20151007-story.html>. For more information on these sources, see endnotes in Jenny Rowland, “The Rise to Power of the Congressional Anti-Parks Caucus” (Washington: Center for American Progress, 2016).

Three characteristics of an anti-parks caucus member

Tea party affiliation

The Tea Party is the far-right, populist, and conservative wing of the Republican Party that gained prominence in 2009 in the wake of President Obama’s election and played a significant role in the 2010 and 2012 elections.⁷⁷ Evidence has shown that the beliefs of the Tea Party are not largely shared with the majority of Republicans.⁷⁸

The party’s list of “non-negotiable core beliefs” on their website include topics such as “Illegal aliens are here illegally”, “gun ownership is sacred”, “government must be down-sized”, and “intrusive government must be stopped.”⁷⁹ While policies on public lands are not explicitly referenced, the last two of these Tea Party beliefs play importantly into its vision on public lands—namely, that federally owned public lands should be cut with the rest of “big government” institutions.⁸⁰

An analysis of congressional members who are in the Tea Party Caucus or were endorsed by a prominent Tea Party organization found that 9 of the 20 anti-park caucus members—45 percent—are active in the Tea Party movement.⁸¹ This is a significant number, considering that only 21 percent of the full Republican caucus are Tea Party members.⁸² Moreover, 11 of the 20 anti-parks members are a part of one or more of the Tea Party, Freedom, or Liberty Caucuses; the latter two caucuses hold similar values and are closely associated with the Tea Party movement.⁸³

Challenges from the right

Primary election challenges from candidates on the far right or the Tea Party movement may offer some explanation for the anti-parks caucus members who are not directly associated with the Tea Party. Political challengers and their policy positions may influence the more moderate position that Congress has historically held in relation to public lands, pushing vulnerable members to adopt much more conservative positions in order to remain competitive.

According to a CAP analysis, 11 of 20 anti-parks caucus members—some 55 percent—faced Tea Party opponents or candidates with extreme positions on public lands within their last two election cycles. When members associated with the Tea Party are excluded, 8 out of 11—or 73 percent—of remaining members on the anti-parks caucus have faced these types of opponents.⁸⁴

Sen. Murkowski, for example, lost the 2010 Senate Republican primary to Tea Party favorite Joe Miller—who was endorsed by former Alaska Gov. Sara Palin (R), herself an active figure in the Tea Party movement.⁸⁵ Sen. Murkowski eventually won by a narrow margin in a write-in campaign.⁸⁶ Today, Miller’s personal website contains pro-Bundy propaganda, such as an article proclaiming an FBI cover-up in the death LaVoy Finicum, an extremist who occupied the Malheur National Wildlife Refuge in 2016 and was killed during a confrontation with Oregon State Police and the FBI.⁸⁷ Miller has also advanced the idea of the turnover of Alaska’s public lands to state control.⁸⁸

Rep. Hardy’s closest competitor in the 2014 Nevada Republican primary, Niger Innis, is closely associated with the Tea Party and has been a vocal supporter of the now-indicted rancher Cliven Bundy.⁸⁹ During the campaign, Innis criticized then-state assembly member Hardy for not doing enough to help Bundy. “These guys have done nothing to solve this problem,” Innis said of Hardy and other Nevada state officials. “Bundy is the lightning rod, but the real argument is over the 85 percent of our land that is controlled by the federal government.”⁹⁰

CAP also found that Reps. Walden, Black, Cook, Gosar, LaMalfa, Lummis, and Young, as well as Sens. Lee and Daines, have all had opponents in their last two election cycles who were closely affiliated with the Tea Party and/or held extreme views on public lands.⁹¹

Lack of district competition

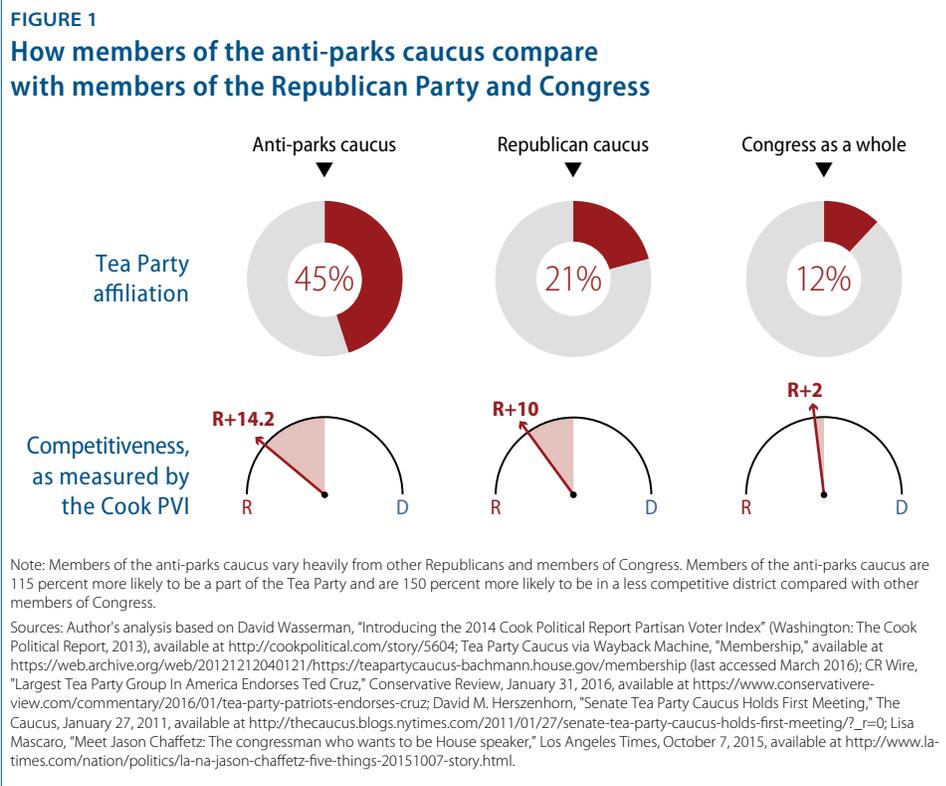
The third reason why many congressional members may have anti-park views is that they are elected in an uncompetitive district, meaning that it is more likely that they can retain their seat regardless of partisanship.

According to Matthew Frankel of the Brookings Institute: “Where competitive races tend to produce more moderate elected officials, noncompetitive races produce the most liberal and conservative members of Congress.”⁹²

District and state competitiveness is commonly measured using the Cook Partisan Voting Index, or PVI, which measures how strongly a district or state leans toward voting Democrat or Republican in the form of a numbered rating based on the most recent presidential or congressional election. For example, a rating of D+5 means the district performed five points more Democratic than the national average. A higher PVI score means a district is less competitive.⁹³

According to CAP’s analysis the average anti-parks caucus member’s congressional district has a rating of R+14.2, which is considered very safe for that seat to remain Republican.⁹⁴ Only one anti-parks caucus member represents a Democratic-leaning district and only three members are in a district rated less than R+10.⁹⁵

Interestingly, when it comes to most public land concerns, particularly land seizure issues, the impetus to do away with federal control does not come from the localities near federal land. According to Jim Caswell, BLM director under President George W. Bush, “public land grab efforts almost never rise up from local communities. They are instead galvanized by partisan politics, mainly at the national level, where the real agenda is wresting public lands from public hands and ultimately privatizing them for nonpublic uses.”⁹⁶



Conclusion

The 20 legislators identified in this brief are responsible for espousing anti-parks rhetoric and introducing legislation aimed at weakening protections of lands that are owned by all Americans and important to a majority of Americans. At the heart of these members' anti-park ideology are some common threads: Tea Party affiliation; competition from far-right candidates; and uncompetitive partisan districts.

The decline of bipartisan parks legislation has come to a head just as the National Park Service marks 2016 as its centennial year and celebrates 100 years of stewardship for American public lands. In this year especially, the parks, and indeed all of America's public lands, deserve a policy agenda that reflects the value Americans place on these exceptional

places and the conservation benefits they provide the country. It is the job of Congress to make sure these important places continue to be protected for future generations and improved upon so that they become more accessible to and inclusive of all Americans.

To counter the anti-parks caucus, those hundreds of congressional members who understand the American values that are inherent in the National Park System should join together to create policy that shepherds the parks into their next century of conservation.

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