

111TH CONGRESS
2^D SESSION

H. R. 5294

To prevent Federal agencies from regulating greenhouse gas emissions for purposes of addressing climate change without express and specific statutory authority, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2010

Mr. REHBERG (for himself and Ms. HERSETH SANDLIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prevent Federal agencies from regulating greenhouse gas emissions for purposes of addressing climate change without express and specific statutory authority, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Limit Executive Ac-
5 tions Suspending Energy Act of 2010” or the “LEASE
6 Act of 2010”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds the following:

1 (1) Several well-funded special interest groups
2 filed suit against the Bureau of Land Management
3 to protest 2008 competitive oil and gas lease sales
4 in Montana, North Dakota, and South Dakota.

5 (2) The plaintiffs alleged that the Bureau of
6 Land Management should have analyzed the poten-
7 tial climate change effects of leasing the parcels pur-
8 suant to Interior Order 3226.

9 (3) The Bureau of Land Management, in its
10 settlement, agreed to suspend 61 leases issued in
11 2008 while it conducts further environmental anal-
12 yses.

13 (4) The Bureau of Land Management post-
14 poned scheduled 2010 oil and gas lease sales in
15 Montana, North Dakota, and South Dakota in order
16 to complete additional environmental reviews under
17 the National Environmental Policy Act of 1969 (42
18 U.S.C. 4321 et seq.).

19 **SEC. 3. CONGRESSIONAL MANDATE REQUIRED.**

20 Notwithstanding any other provision of law, the head
21 of any Federal agency may not take any administrative
22 action to regulate greenhouse gas emissions (including by
23 issuing orders, promulgating regulations, or otherwise reg-
24 ulating, monitoring, mitigating, predicting, or docu-
25 menting such emissions) for purposes of addressing cli-

- 1 mate change unless a Federal statute expressly and spe-
- 2 cifically authorizes such action.

