

111TH CONGRESS  
2D 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.

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## 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

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## 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.

