

Lawsuits Block American-Made Energy

Washington, DC—At a press conference this morning, House Republicans, led by Congressman John Shadegg (R-AZ) declared the Democrats' energy bill to be meaningless. Together they argued that any energy proposal that does not contain limits on excessive environmental lawsuits will fail to produce American-made energy in the foreseeable future.

SHOCKING OIL FACTS:

- **Radical environmentalists challenge leasing programs.**
- **Radical environmentalists challenge lease sales.**
- **Radical environmentalists challenge leasing exploration.**
- **Radical environmentalists challenge drilling plans.**
- **Radical environmentalists use the Freedom of Information Act to gather evidence.**
- **As a result, all existing and future Outer Continental Shelf lease sales are being challenged.**

NOT 98%. NOT 99%.

100%

“Because lawsuits can be so effective, we have a team of policy experts in Washington, DC that work hand-in-hand with our attorneys to stop legislative backlash that often results from court decisions, and attacks to the very laws we use.” (Website of EarthJustice)

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LEGAL CHALLENGES BY ENVIRONMENTAL GROUPS ARE BLOCKING OR SIGNIFICANTLY DELAYING OIL LEASES AND PRODUCTION

Radical environmentalists challenged every lease in the Chukchi Sea:

- The Administration issued 487 leases in the Chukchi Sea Sale 193 in February 2008.
- The Center for Biological Diversity, the Natural Resources Defense Council, the Sierra Club, and other radical environmental organizations, in January 2008, filed a pre-emptive suit challenging all 487 leases under the National Environmental Policy Act and the Endangered Species Act.
- Status: Currently pending.¹

Radical environmentalists challenged the entire 2007-2012 5-year national OCS leasing program:

- The Administration, in July 2007, proposed a national schedule to issue oil leases over a 5-year period (2007-2012) in the outer continental shelf, including Alaska.
- The Center for Biological Diversity and other radical environmental organizations immediately filed suit challenging all existing leases and all future leases under the Endangered Species Act, the National Environmental Policy Act, and various other laws.
- Status: Currently pending.²

Radical environmentalists challenged exploration activities of every lease in the Chukchi and Beaufort Seas:

- There are 748 leases which lie in the Chukchi and Beaufort Seas.
- The Center for Biological Diversity, the Natural Resources Defense Council, and other radical environmental organizations, in May 2008, sued, challenging all seismic activity at all 748 leases in the Chukchi and Beaufort Seas under the National Environmental Policy Act and the Marine Mammals Protection Act.
- Status: Currently pending.³

¹ U.S. District Court Alaska; Case No. 1:08-cv-0004-RRB

² U.S. Court of Appeals for District Columbia; Case No. 07-1247

³ U.S. District Court of Alaska; Case No. 1:08-cv-0001-RRB; U.S. Ninth Circuit Court of Appeals; Case No. 08-35571

Radical environmentalists block proposed drilling plans:

- On February 15, 2007, the Minerals Management Service approved the proposed exploration plan for 12 leases in the Beaufort Sea.
- The Center for Biological Diversity, the Natural Resources Defense Council, the Sierra Club, and other radical environmental organizations sued in April 2007 and obtained a court order halting drilling on **all 12 leases**. This order has already stopped activity for two years.
- Status: Currently pending.⁴

Radical environmentalists sue under FOIA seeking evidence for use in future litigation to block all leases:

- The Administration issued 487 leases in the Chukchi Sea Sale 193 in February 2008.
- The Center for Biological Diversity and the Natural Resources Defense Council, in January 2008, sued under the Freedom of Information Act (FOIA), seeking documents for their effort to stop all oil exploration and production.
- Status: Currently pending.⁵

Radical environmentalists protest every lease in BLM New Mexico State Office lease sale:

- On July 16, 2008, the BLM New Mexico State Office auctioned 78 leases in New Mexico, Kansas, Oklahoma, and Texas.
- The Western Environmental Law Center and the Wild Earth Guardians preemptively, on July 1, 2008, administratively challenged **all 78 leases** under the Federal Land Policy and Management Act⁶.
- Status: Currently pending.⁷

⁴ U.S. Ninth Circuit Court of Appeals; Case no. 07-71457

⁵ U.S. District Court of Alaska; Case No. 3:08-cv-00159-RRB

⁶ 43 CFR 3120.1-3

⁷ Bureau of Land Management

Radical environmentalists block a majority of oil and gas leases in the Rocky Mountain States:

- In 2007, approximately **50% of the oil and gas leases** in the Rocky Mountain States were administratively challenged.⁸
- In Utah alone, oil and gas development on millions of acres is being held up by environmental groups.⁹

⁸ Bureau of Land Management

⁹ U.S. District Court, Utah Central; Case No. 2:04CV574 DAK