



THE REAL EMERGENCIES ACT

*Introduced by Senator Shelley Moore Capito (R-W.Va.)
Ranking Member, Environment and Public Works Committee*

The Real Emergencies Act clarifies that the president does not have the authority to declare a national emergency on the premise of climate change.

Continuing in the spirit of the “Green New Deal,” **radical environmental groups** continue to call for President Biden to invoke the President’s National Emergency authorities to address climate change. Liberal Congressional Democrats are following suit.

- Senate Majority Leader Schumer stated, “I think it might be a good idea for President Biden to call for a National Climate Emergency” because “he can do many, many things under his emergency powers of the president that wouldn’t have to go through – that he could do without legislation.”
- Recently, 97 members of the House Progressive Caucus wrote President Biden urging him to **unilaterally declare a “National Climate Emergency” and ban fossil fuel development.**
- These calls ignore the fact that current law does not allow for the president to declare a National Emergency on the basis of climate change.

Instead of limiting our ability to be **energy independent** as extreme environmental groups are demanding, Congress should take steps to strengthen our national security by implementing **all-of-the-above energy policies** that include our competitive advantage in fossil energy production.

Russia’s invasion of Ukraine reinforces the vital importance of energy security. That means utilizing American abundant energy supplies to provide **affordable and reliable energy** at home and sharing those resources with our allies abroad.

The Real Emergencies Act makes clear the president cannot undo American energy security by **claiming a “false emergency” to circumvent the law** in service of progressive priorities.

Rep. David McKinley (R-W.Va.) of the House Energy and Commerce Committee introduced the House companion legislation.

