

In another regulatory action in the waning days of the Bush administration, the Interior Department on Thursday unveiled a new rule that challenges Congress's authority to prevent mining planned on public lands.

Congress has emergency power to stop mineral development, and has used it six times in the last 32 years. The most recent was in June, when it put a three-year moratorium on uranium mining on one million acres near the Grand Canyon. Interior Secretary Dirk Kempthorne has ignored that Congressional directive, saying it was procedurally flawed.

The new rule issued by the Interior Department's Bureau of Land Management comes as environmental groups are suing the bureau in federal court for failing to obey Congress's directive, which under a 1976 law can be invoked when "an emergency situation exists and extraordinary measures must be taken to preserve values that would otherwise be lost."

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