

Obama looks to undo Utah drilling decisions

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WASHINGTON - President-elect Barack Obama could move quickly once in office to halt oil and gas drilling near national parks in Utah, Obama's top transition adviser said Sunday.

But it's unclear whether Obama would be able to reverse the Bush administration's decision to hand out leases to about 360,000 acres of federal land in Utah; the leases, some of which lie near Arches and Canyonlands national parks and Dinosaur National Monument, are scheduled to go on sale a month before Obama is sworn in.

John Podesta, co-chairman of Obama's transition team, said on Fox News Sunday that the president-elect is looking at several ways to overturn some Bush administration actions, and Podesta singled out the sale of Bureau of Land Management parcels in Utah.

The Bush administration wants "to have oil and gas drilling in some of the most sensitive, fragile lands in Utah that they're going to try to do right as they - walking out the door," Podesta said. "I think that's a mistake."

Podesta, appearing on the Sunday morning show, signaled several areas where Obama believes his administration could make an immediate impact by issuing executive orders to halt actions by President Bush.

But the sale of the BLM land is not an action by executive order and may be more difficult to stop.

"I suppose he can," says Carl Tobias, a law professor at the University of Richmond. "I think it may be possible. But it could depend on the program, [and] how it's authorized by statute."

"If it's an ongoing program, I think it's a more difficult question," Tobias said.

Another sticking point could be that the leases are scheduled to be sold Dec. 19, and once someone has bought a lease they are legally entitled to it. If Obama changes course later, the lease holders could sue in federal court to assert their purchased rights.

The Obama transition team did not respond to a request for clarification Sunday.

Obama's team is not alone in its concern over the sale of the federal lands. The

National Park Service also has objected to the sale next month, saying it wants more time to study the areas to be opened for oil and gas drilling.

The Park Service has asked for the sale to be put off until next year to study whether drilling would harm the air, water and wildlife in the parks.

But the BLM says it's moving forward with the sale. The agency routinely holds quarterly sales of acreage for oil and gas leases.

Podesta also mentioned another area the president-elect could direct policy quickly upon assuming the office, by dropping Bush's ban on federal funding for new embryonic stem cell research. Podesta said decisions haven't been made for sure on what areas Obama would change course.

"But I would say that as a candidate, Sen. Obama said that he wanted all the Bush executive orders reviewed, and decide which ones should be kept, and which ones should be repealed, and which ones should be amended," he told Fox News Sunday with Chris Wallace.

Tobias says it's common place with new administrations to cast off previous orders and assert their own, especially when the new administration is of another party.

"The concern is that there's this last-minute rush of the Bush administration to authorize various activities that they believe the new administration would not authorize," Tobias says.

And issuing executive orders is the quickest way to halt the previous administration's actions.

"The legislative process can be so cumbersome. It still is even when it's your own party in power," Tobias says. "But this is something that can be done very quickly and has been done by many presidents." tburr@sltrib.com