

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE JOINT RESOLUTION NO.

Prohibiting unauthorized atmospheric geoengineering.

Sponsored by: Joint Agriculture, State and Public Lands &  
Water Resources Interim Committee

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting Congress prohibit unauthorized  
2 atmospheric geoengineering and weather modification in the  
3 state of Wyoming.

4

5 WHEREAS, it is documented that federal agencies, military  
6 contractors or private entities acting on behalf of or at the  
7 request of the federal government may be engaging in  
8 geoengineering experiments, including but not limited to  
9 solar radiation management, stratospheric aerosol injection,  
10 weather modification and cloud seeding, by dispersing  
11 chemicals or particulates into the atmosphere without public  
12 knowledge or consent; and

1

2 WHEREAS, such activities are currently allowed without  
3 oversight in Wyoming's airspace and may involve substances  
4 such as aluminum oxide, barium, stratospheric sulfates or  
5 other compounds, with unknown or unreported impacts on human  
6 health, livestock, crops, ecosystems and weather stability;  
7 and

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9 WHEREAS, the Wyoming department of environmental quality  
10 (DEQ) is charged with protecting the safety and quality of  
11 the state's air, water and soil, and must be empowered to  
12 investigate and stop unauthorized atmospheric contamination  
13 within Wyoming's jurisdiction; and

14

15 WHEREAS, it is the constitutional duty of state government to  
16 safeguard public health, defend private property, protect  
17 agricultural integrity and assert state sovereignty over  
18 activities conducted within its borders and above its skies  
19 under the Tenth Amendment of the U.S. Constitution; and

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21 \*\*\*\*\*

22 \*\*\*\*\*

23 **STAFF COMMENT**

24 **The Tenth Amendment of the U.S. Constitution states, "[t]he**  
25 **powers not delegated to the United States by the Constitution,**  
26 **nor prohibited by it to the States, are reserved to the States**

1 respectively, or to the people." Generally, the State of  
2 Wyoming has the authority to regulate air quality through the  
3 jurisdiction of the Wyoming DEQ. The Committee may want to  
4 consider that the federal government has absolute sovereignty  
5 over the airspace of the United States pursuant to 49 U.S.C.  
6 §40103(a)(1), which states "[t]he United States Government  
7 has exclusive sovereignty of airspace of the United States."

8  
9 Additionally, the powers specified in this clause do not  
10 solely arise out of the Tenth Amendment. The Committee may  
11 wish to revise the language so it does not rely only on the  
12 Tenth Amendment:

13  
14 WHEREAS, it is the duty of the state government to safeguard  
15 public health, defend private property, protect agricultural  
16 integrity and assert state sovereignty over activities  
17 conducted within its borders and above its skies, and the  
18 Tenth Amendment to the United States Constitution confirms  
19 that powers not delegate to the federal government remain  
20 reserved to the states and the people.

21 \*\*\*\*\*  
22 \*\*\*\*\*  
23

24 WHEREAS, multiple U.S. states, including Tennessee and  
25 Florida, have now enacted legislation prohibiting  
26 geoengineering modifications, and dozens more are considering  
27 similar laws to preserve natural climate systems and ensure  
28 transparency in all atmospheric activity.

29 \*\*\*\*\*  
30 \*\*\*\*\*

31 **STAFF COMMENT**

32 At this time, only Tennessee and Florida have enacted  
33 legislation prohibiting geoengineering and weather  
34 modification. Montana did pass a similar bill through the  
35 Montana Senate, but it did not advance past the House of  
36 Representatives.

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38 \*\*\*\*\*  
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1 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE  
2 LEGISLATURE OF THE STATE OF WYOMING:

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4 **Section 1.** That the Wyoming Legislature supports the  
5 drafting and passage of legislation to:

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7 (a) Prohibit the intentional injection, dispersion or  
8 release of chemical, biological or radiological substances  
9 into the atmosphere for the purpose of weather modification,  
10 solar radiation management or environmental engineering  
11 without the express approval of the state of Wyoming;

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13 (b) Ban the use of unmarked aircraft, drones, balloons  
14 or space-based platforms to conduct geoengineering  
15 modifications over the state of Wyoming;

16

17 (c) Make such unauthorized acts a felony offense,  
18 encouraging partnerships between the relevant federal law  
19 enforcement agencies and the Wyoming DEQ or relevant state  
20 law enforcement entities to enforce such felonies, with  
21 substantial fines and criminal penalties per violation; and

22 \*\*\*\*\*

23 \*\*\*\*\*

24 **STAFF COMMENT**

1 The Wyoming Department of Environmental Quality generally  
2 does not have the jurisdiction to enforce federal law. Where  
3 the federal government has given a state agency primacy on an  
4 issue, then the state has primary enforcement responsibility  
5 for enforcing the federal law. If the Committee wishes to  
6 have the DEQ enforce any federal law created in response to  
7 this resolution, they might consider requesting primacy on  
8 this issue. The Committee might also consider DEQ's primacy  
9 on ground-based air pollution under the federal Clean Air Act  
10 pursuant to 42 U.S.C. § 7416.

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12 \*\*\*\*\*  
13 \*\*\*\*\*

14 (d) Formally reject any federal, international or  
15 foreign-sponsored geoengineering programs conducted over  
16 Wyoming airspace without full disclosure, state consent and  
17 public transparency.

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19 **Section 2.** That the Wyoming Legislature urges all  
20 elected officials, agencies and candidates to support  
21 legislation that preserves Wyoming's natural skies, defends  
22 individual and agricultural health and asserts constitutional  
23 control over state airspace.

24  
25 **Section 3.** That the Secretary of State of Wyoming  
26 transmit copies of this resolution to the President of the  
27 United States, to the President of the Senate and the Speaker  
28 of the House of Representatives of the United States Congress  
29 and to the Wyoming Congressional Delegation.

( END )