

faith leaders, and civil society leaders to continue to condemn and combat antisemitism, and to identify and educate others on the contributions of the Jewish American community.

And so, as we celebrate the Jewish American community's contributions this month, we too must honor their resilience in the face of a long and painful history of persecution.

Indeed, as stated by President Biden in his Proclamation on Jewish American Heritage Month, 2024—we must all “remember that the power lies within each of us to rise together against hate, to see each other as fellow human beings, and to ensure that the Jewish community is afforded the safety, security, and dignity they deserve as they continue to shine their light in America and around the world.”

Ms. MCCOLLUM. Mr. Speaker, I rise to address my intended vote on H.R. 6090, the Antisemitism Awareness Act.

This bill would require the Department of Education to utilize the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism when interpreting whether an action or practice violates the Civil Rights Act of 1964.

To be clear: I condemn antisemitism in all its forms and stand with the Jewish community as they mourn the losses sustained in the October 7 terrorist attack by Hamas and the subsequent increase in antisemitic incidents in the U.S. and around the world.

But requiring the Department of Education to use the IHRA definition would stifle free speech and curtail legitimate criticisms of the Israeli government's actions.

I concur with J Street, which noted: “On its own, the IHRA Working Definition, coupled with its contemporary examples, is broad and can label legitimate political speech and critique of Israel as inherently antisemitic. We are concerned that this concerted campaign to require the use of the IHRA definition and its examples by law and regulation creates significant opportunities for abuse and politicization, including by future MAGA-aligned administrations.”

This bill violates First Amendment rights to share and debate ideas and express peaceful dissent. It is too broad and could lead to colleges and universities banning student groups that aim to provide safe refuge, community, and space to discuss issues that are important to them based on the opinion or statement of one student.

Mr. GALLEGO. Mr. Speaker, while I was unable to attend today's vote series, had I been able to attend, I would have proudly voted yes on H.R. 6090, the Antisemitism Awareness Act, which I am a cosponsor of. This legislation is an important step to protecting the American Jewish community, particularly in light of the alarming rise in antisemitic incidents across the country. The State Department has used the International Holocaust Remembrance Alliance (IHRA) Definition since 2010, while the Department of Education has considered the IHRA definition of antisemitism since 2019 when reviewing, investigating, or deciding whether there has been a violation of Title VI of the Civil Rights Act of 1964. This legislation would make the IHRA definition the official policy of federal agencies, and I urge Congress to swiftly pass it.

The SPEAKER pro tempore (Mr. MEUSER). All time for debate has expired.

Pursuant to House Resolution 1173, the previous question is ordered on the bill.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 6090 is postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1042. An act to prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2116. An act to require the Secretary of Commerce to produce a report that provides recommendations to improve the effectiveness, efficiency, and impact of Department of Commerce programs related to supply chain resilience and manufacturing and industrial innovation, and for other purposes.

The message also announced that pursuant to Public Law 106-398, as amended by Public Law 108-7, the Chair, on behalf of the Majority Leader, and in consultation with the Chairs of the Senate Committee on Armed Services and the Senate Committee on Finance, announces the reappointment of the following individual to serve as a member of the United States-China Economic and Security Review Commission:

The Honorable Carte P. Goodwin of West Virginia for a term beginning January 1, 2023 and expiring December 31, 2025.

MINING REGULATORY CLARITY ACT OF 2024

Mr. WESTERMAN. Mr. Speaker, pursuant to House Resolution 1173, I call up the bill (H.R. 2925) to amend the Omnibus Budget Reconciliation Act of 1993 to provide for security of tenure for use of mining claims for ancillary activities, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1173, the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, shall be considered as adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2925

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Mining Regulatory Clarity Act of 2024”.

SEC. 2. USE OF MINING CLAIMS FOR ANCILLARY ACTIVITIES.

Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following:

“(e) SECURITY OF TENURE.—

“(1) CLAIMANT RIGHTS.—

“(A) DEFINITION OF OPERATIONS.—In this paragraph, the term ‘operations’ means—

“(i) with respect to a locatable mineral, any activity or work carried out in connection with—

“(I) prospecting;

“(II) exploration;

“(III) discovery and assessment;

“(IV) development;

“(V) extraction; or

“(VI) processing;

“(ii) the reclamation of an area disturbed by an activity described in clause (i); and

“(iii) any activity reasonably incident to an activity described in clause (i) or (ii), regardless of whether that incidental activity is carried out on a mining claim, including the construction and maintenance of any road, transmission line, pipeline, or any other necessary infrastructure or means of access on public land for a support facility.

“(B) RIGHTS TO USE, OCCUPATION, AND OPERATIONS.—A claimant shall have the right to use and occupy to conduct operations on public land, with or without the discovery of a valuable mineral deposit, if—

“(i) the claimant makes a timely payment of—

“(I) the location fee required by section 10102; and

“(II) the claim maintenance fee required by subsection (a); or

“(ii) in the case of a claimant who qualifies for a waiver of the claim maintenance fee under subsection (d)—

“(I) the claimant makes a timely payment of the location fee required by section 10102; and

“(II) the claimant complies with the required assessment work under the general mining laws.

“(2) FULFILLMENT OF FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976.—A claimant that fulfills the requirements of this section and section 10102 shall be deemed to satisfy any requirements under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for the payment of fair market value to the United States for the use of public land and resources pursuant to the general mining laws.

“(3) SAVINGS CLAUSE.—Nothing in this subsection—

“(A) diminishes any right (including a right of entry, use, or occupancy) of a claimant;

“(B) creates or increases any right (including a right of exploration, entry, use, or occupancy) of a claimant on lands that are not open to location under the general mining laws;

“(C) modifies any provision of law or any prior administrative action withdrawing lands from location or entry;

“(D) limits the right of the Federal Government to regulate mining and mining-related activities (including requiring claim validity examinations to establish the discovery of a valuable mineral deposit) in areas withdrawn from mining (including under—

“(i) the general mining laws;

“(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

“(iii) the Wilderness Act (16 U.S.C. 1131 et seq.);

“(iv) sections 100731 through 100737 of title 54, United States Code (commonly referred to as the ‘Mining in the Parks Act’);

“(v) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

“(vi) division A of subtitle III of title 54, United States Code (commonly referred to as the ‘National Historic Preservation Act’); or

“(E) restores any right (including a right of entry, use, or occupancy, or right to conduct operations) of a claimant that existed prior to the date that the lands were closed to or withdrawn

from location under the general mining laws and that has been extinguished by such closure or withdrawal.”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources, or their respective designees.

The gentleman from Arkansas (Mr. WESTERMAN) and the gentlewoman from New Mexico (Ms. STANSBURY) each will control 30 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. WESTERMAN).

GENERAL LEAVE

Mr. WESTERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2925.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2925, the Mining Regulatory Clarity Act of 2024.

In May 2022, the United States Court of Appeals for the Ninth Circuit affirmed a lower decision revoking an approved mine plan for the Rosemont Copper Mine Project in Arizona. Commonly called the Rosemont decision, this determination upended decades of regulatory precedent and specific U.S. Forest Service regulations that allow approvals of operations on or off a mining claim so long as these operations meet environmental and regulatory standards.

If allowed to stand, the Rosemont decision would require the discovery and determination of a valid mineral deposit, meaning that operators must prove the existence of a commercially developable deposit on a claim before a plan of operations can be approved.

However, operators' plans of operations must include the intended uses of the surface of the mining claim, including those for waste rock placements, mills, offices, and roads. The mining plan of operations is key in determining the economic feasibility of a mining site, which in turn factors into the basis of determining which mineral deposits are commercially developable and, therefore, valid.

In short, the court's ruling puts the cart before the horse and fails to reflect the actual process of how one develops a mine. This bill would restore status quo as it existed before the misguided Rosemont decision and clarify that mine operators can continue to operate on Federal lands as they have for decades.

According to the Federal Land Policy and Management Act of 1976, “It is the policy of the United States that . . . the public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals.” The Rosemont decision blatantly disregards this statement.

With mineral demand expected to grow exponentially in the coming decades, Congress must safeguard and defend the country's ability to access our own resources.

Mr. Speaker, I urge all of my colleagues to join me in support of H.R. 2925, and I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong but respectful opposition to H.R. 2925, the Mining Regulatory Clarity Act, as it has been named here, the fifth bill this week brought to you by our friends across the aisle, the GOP, who, unfortunately, this week seem to stand for guns, oil, and pollution.

My home State of New Mexico has a wealth of minerals, many of which are critical to the clean energy transition. We also have a very long history of mining. Mining, of course, has created thousands of jobs, supported economies across the Southwest and the country, and, of course, is an important part of our economies and communities. It has also left a toxic legacy of pollution in its wake.

As we move to the clean energy future, we cannot repeat the shortsightedness and injustices of the past. The Mining Law of 1872—let me say that again, 1872—a 150-year-old law that was signed into law by President Ulysses S. Grant after the Civil War, is still the law that governs mining on public lands to this day.

It gives mining companies rights over public lands that all other industries could only dream of. It makes mining the top priority use of our public lands and gives companies the right to develop any valid mining claim, no matter if that land is a sacred site, a beloved local recreation spot, the headwaters of a critical watershed, or a priority area for other kinds of development—not even if it would pollute a nearby community's water supply.

The Mining Act of 1872—not the bill before us but the one that is currently in effect—contains no environmental or community protections, does not require Tribal consultation, and does not charge companies a cent—not one—in royalties for the minerals that they extract on our public lands. Oil, gas, and coal don't even have that good of a deal.

Mr. Speaker, you heard that right. These mining companies, many of which are foreign-owned at this point, don't pay a cent back to the American people for the royalties of those publicly owned minerals. Not even Big Oil has a deal that good.

We cannot build a sustainable mining future for the United States on such a flawed foundation. This is a law from when the government was helping out prospectors, when it was chasing manifest destiny, and we didn't care if we destroyed everything in our wake.

Wake up. It is the year 2024. We don't have to manage our public lands using

laws from the 1870s. Many of us agree that the mining law is badly in need of reform. Republicans, Democrats, Tribal leaders, local leaders, environmental advocates, even members of the mining industry themselves think that it is insufficient. What is astounding about the bill that is on the floor today, the so-called Mining Regulatory Clarity Act, is that it doesn't clarify the situation at all. In fact, it chooses to take us in the opposite direction, to before the 1870s. This bill removes the one frail safeguard that we have in that mining law of 1872. Under current law, a mining claim is valid only if it contains valuable minerals. Miners get the rights to the land only if there is something they can show to be mined there.

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Under this bill, any American or, frankly, any American subsidiary of a foreign company, including those that are located in adversarial countries, can put four stakes in the ground on open public lands and pay less than \$10 an acre per year to have exclusive rights to that land forever.

This bill would create a free-for-all on our public lands. It would enable our public lands to be given away, not just to the highest bidder but to the first person who got there.

Mining companies—or really anyone with any motive—could lock up any public lands to conduct whatever mining-related activities they want, from destroying sacred sites to building a power plant to encroaching on recreational areas.

What if the public wanted to use the land for recreation? What if it was an important site for cultural reasons? What if we wanted to put renewable energy on that land?

Too bad. Under this bill, the mining industry can use it for whatever it wants, including to dump toxic waste.

Now, some of my colleagues say that this is just codifying the existing practice, but let me tell you, that is not true.

As bad as the mining law is already, and we are talking about the one from the 1870s, it at least allows for the invalidating of claims when the claimant can't show or prove that the lands actually contain a valuable mineral, but this bill doesn't do that.

We have seen that in Ranking Member GRIJALVA's backyard where the proposed Rosemont mine wanted to dump toxic waste on public land. It wasn't allowed because the mine's land claim was invalid.

Now, here is the thing: When the company lost its case in court, it immediately—and when I say immediately, I mean the same day. That company announced that it found an alternative waste site on private lands. Wow.

Clearly, there was not an imminent need. The company simply would have preferred to put its dumpsite on land that was basically for free from the American people.

Let's be honest about what this bill is. It is essentially stripping away the only safeguards we have in a deeply flawed, very old mining law to give away more giveaways to corporate polluters.

On behalf of Ranking Member GRIJALVA, whom our prayers and our thoughts are with today, I include in the RECORD a letter from the Pima County Board of Supervisors in support of responsible mining and in opposition to this bill.

COUNTY ADMINISTRATOR'S OFFICE,
PIMA COUNTY GOVERNMENTAL CENTER,
Tucson, AZ, May 23, 2023.

Hon. Congressman RAÚL GRIJALVA,
House of Representatives,
Tucson, AZ.

DEAR CONGRESSMAN GRIJALVA: On May 16, 2023, the Pima County Board of Supervisors approved the attached Resolution 2023-12 opposing the Permitting for Mining Needs Act (H.R. 209) and the Mining Regulatory Clarity Act (S. 1281), and supporting meaningful mining reform. Since then, we became aware of H.R. 2925, which is identical to S. 1281. All three of these bills contain similar language intended to legislatively reverse decisions by the U.S. District Court for Arizona and the Ninth Circuit Court of Appeals, which halted the construction of the proposed Rosemont mine on the eastern slopes of the Santa Rita Mountains, within the Coronado National Forest. Located south of Tucson, within Pima County, this mountain range provides disproportionately high amounts of water for runoff and ground water recharge for the greater Tucson basin, is recognized worldwide for its biodiversity, is culturally important to a number of tribes, and serves as a respite for Southern Arizonans. The ruling confirmed that the Forest Service should have required proof that the mining company's unpatented mining claims were valid before permitting the mining company to dump waste rock and tailings on public land.

All three bills contain language that would allow those with mining claims to "use, occupy and conduct operations on public land, with or without the discovery of a valuable mineral deposit." In addition, those with claims could carry out mining activities on other federal lands absent of claims. This legislation prioritizes mining over other equally important interests and is likely to result in significant unintended consequences. This legislation would remove the ability of federal land management agencies to balance the need for other equally important uses of public land. Furthermore, this legislation is not needed. The mining industry still has the ability to gain access to public land via land exchanges, special use permits, and other permitted means. However, because these actions are discretionary, they allow for an informed and balanced approach to managing a multitude of uses across public lands.

This legislation also has a number of unintended consequences that are alarming for the State of Arizona and Pima County. Not only would these bills increase the ability for nuisance claims on Federal land that could block other necessary federal projects and increase destructive speculation without mineral extraction, our understanding is that they could also impact split estate lands. Split estate lands are lands where the surface is owned separately from the subsurface mineral rights. In Arizona, this is a common occurrence. For instance, the surface can be owned privately, by a local government like Pima County, or managed in trust by the Arizona State Land Department; whereas the subsurface mineral rights

are publically owned and managed by the Federal Government. Mining companies or others can make claim to these subsurface minerals, the exploration and development of which can significantly impair the rights of the surface owner to use the surface for its intended purposes.

As the Bureau of Land Management explains on their website:

"When the surface rights to a piece of land and the subsurface rights (such as the rights to develop minerals) are owned by different parties, the mineral rights often take precedence over other rights."

In addition, the legislation essentially makes mill site claims moot, which were one way that mines could gain access to federal land for waste and tailings in areas that specifically did not have mineral value. Congressional or administrative mineral withdrawals would also be substantially impacted, or complicated. Valid unpatented mining claims are protected or excluded from withdrawals, but this legislation makes moot the concept of "validity."

What is needed is comprehensive and meaningful mining reform, not these short-sighted changes that provide the mining industry with exclusive rights to public land.

Please know that Pima County is not anti-mining. The copper mines in Pima County have contributed significantly to national and international copper supplies. Pima County has a good relationship with our two largest copper producers, Freeport-McMoRan and ASARCO, and in particular has taken actions to support expansion of existing mining operations in the area southwest of Tucson. This area is less biologically diverse and more suitable for development, according to the County's comprehensive Sonoran Desert Conservation Plan and U.S. Fish and Wildlife Service Section 10 permit, both of which were developed based on the best available science and informed by extensive public input. This area also has significant copper reserves for future development. Pima County has also worked cooperatively with two copper mining companies that proposed reopening an underground mine on Mt. Lemmon, north of Tucson, both of which voluntary offered to comply with the County's Sonoran Desert Conservation Plan and related conservation guidelines.

In summary, Pima County strongly opposes S. 1281, H.R. 2925 and H.R. 209 and the damaging intended and unintended consequences to the public health, safety and welfare of our community. In addition, we continue to seek comprehensive mining reform akin to the comprehensive, science-based and community informed conservation planning undertaken by our local community in partnership with Federal agencies.

Sincerely,

JAN LESHER,
Pima County Administrator.

Attachment:

RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS OPPOSING THE PERMITTING FOR MINING NEEDS ACT AND THE MINING REGULATORY CLARITY ACT, AND SUPPORTING MEANINGFUL MINING REFORM

Whereas, Pima County and the Pima County Board of Supervisors have long advocated for meaningful reform of the 1872 Mining Law, acknowledging that mining is necessary and should occur in places and with methods that protect the health, safety, and welfare of our County's residents; and

Whereas, on January 2, 2023, the "Permitting for Mining Needs Act of 2023" was introduced as H.R. 209 in the United States House of Representatives; and

Whereas, on April 25, 2023, the "Mining Regulatory Clarity Act" was introduced as S. 1281 in the United States Senate; and

Whereas, both Acts do not provide meaningful mining reform and instead would make it easier for mining companies to gain access to federal lands at the expense of all other uses such as recreation, tourism, conservation, watershed protection, climate mitigation, traditional uses by Tribal Nations, cultural and historic preservation, healthy forest management, and other uses that contribute significantly to the local, state, and national economies; and

Whereas, both Acts would allow mining companies to "... use, occupy, and conduct operations on public land, with or without the discovery of a valuable mineral deposit." This includes dumping waste and tailings on federal land without the need to prove valid mining claims, as well as on federal land absent of claims; and

Whereas, both Acts would authorize actions where mining companies secure rights on our federal public lands through unpatented mining claims without proving that the claims are valid, actions that have occurred for too many years; and

Whereas, both Acts are intended to legislatively reverse recent decisions by the United States District Court for the District of Arizona ("District Court") in 2019 and the Ninth Circuit Court of Appeals ("Ninth Circuit") in 2022 halting the construction of the proposed Rosemont Mine on the eastern slopes of the Santa Rita Mountains, located in Pima County, and the dumping of waste rock and tailings on 2,500 acres of unpatented mining claims in the National Forest; and

Whereas, the District Court's ruling, which the Ninth Circuit later affirmed, confirmed a long-standing concern, raised by Pima County since the beginning of the Rosemont Mine federal review process in 2006, that Federal agencies such as the U.S. Forest Service failed to consider whether Rosemont held valid unpatented mining claims; and

Whereas, the District Court's ruling confirmed that the Forest Service needs to consider reasonable alternatives when reviewing mining proposals, providing the opportunity for a more balanced approach to public lands management.

Now Therefore Be It Resolved That:

1. The Pima County Board of Supervisors opposes the Permitting for Mining Needs Act and the Mining Regulatory Clarity Act, as well as any similar legislation that attempts to allow mining projects on public lands in areas without mining claims and in areas with unproven mining claims, and supports meaningful mining reform;

2. The Pima County Board of Supervisors calls on Arizona's Congressional delegation to oppose the Permitting for Mining Needs Act and the Mining Regulatory Clarity Act;

3. The Pima County Board of Supervisors directs the County Administrator and the County's Federal lobbyists to take the necessary measures to communicate Pima County's opposition to the Permitting for Mining Needs Act and the Mining Regulatory Clarity Act;

4. The Pima County Board of Supervisors directs that communications to our Congressional delegation emphasize Pima County's support for meaningful mining reform and our record of supporting mining projects in Pima County that adhere to local health, safety, and conservation guidelines;

5. The Pima County Board of Supervisors opposes piece-meal legislation that does not address the issue of mining reform comprehensively; and

6. The Pima County Board of Supervisors affirms support for the rulings by the District Court and the Ninth Circuit Court of Appeals, which is consistent with past resolutions and actions of the Pima County Board of Supervisors.

Ms. STANSBURY. Mr. Speaker, it is not just the mining industry that gets

to have free rein on these lands from other uses.

One of the things that is important to understand about the language in this bill is that any actor with a few dollars to spare could lock up these public lands and just sit on them until somebody buys them out.

That means anyone who wants to use the land, and that could be for recreation, renewable energy, transmission, or even for another mining claim, would be blocked out so long as somebody was sitting on that claim. Again, this bill takes away the only requirement to show an interest in actually mining the land and just rewards the first person to make a claim.

This bill is not only a giveaway to the mining industry; it is literally a giveaway of our public lands. It is completely mystifying because this isn't even what the American people want.

Our friends across the aisle continue to push for an agenda that the American people haven't even asked for. They voted to cut veterans' benefits, to raise healthcare costs, and to enrich and provide these corporate giveaways, just like in this bill. Where is this coming from? I ask my friends: Where is this coming from?

I urge my colleagues to vote against this toxic polluter giveaway, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

With all due respect to my friend from New Mexico, I greatly appreciate her passion to protect this administration, to protect an administration that is having an attack on American mining, on American energy that is causing prices to increase, for inflation to go up, and it is causing us to be more dependent on our adversaries like China for minerals and elements, like Russia, OPEC, Venezuela, all of the above, Iran, for our energy. I understand that she is passionate about that, and I respect her passion.

When we talk about an old, archaic mining law that Ulysses S. Grant signed into law in 1872, I am reminded of something our Founders did long before that.

In 1787, they passed or established our Constitution that says that there is separation of powers, that the legislative branch legislates and that the executive branch enforces.

Now, almost 250 years later, we have got an administrative branch, and thanks to the administrative state in the Administrative Powers Act, we have bureaucrats that think their job is to legislate.

We are not changing the law, the mining law. We are pushing back on rules that are being pushed out by an administration that thinks it is their job to legislate.

I will remind my friends across the aisle that 2 years ago, they controlled the House, the Senate, and the White House. They had an opportunity to change the mining law, and they didn't

do it. We are not changing the mining law. We are pushing back on overreaching regulations from the administration.

Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. STAUBER), the chair of the Subcommittee on Energy and Mineral Resources.

Mr. STAUBER. Mr. Speaker, I rise to support H.R. 2925, the bipartisan, bicameral Mining Regulatory Clarity Act of 2023, offered by my good friend from Nevada, Representative AMODEI. I thank Representative AMODEI for introducing this legislation.

Nevada and Minnesota are both mineral-rich States, and they are both States that the Biden administration has targeted as part of their antimining agenda.

The bill before us is simple. It codifies what is known as the Rosemont fix. It restores the longstanding interpretation of the Mining Law of 1872, along with agency regulations governing hardrock mining policy on our Federal lands.

In May of 2022, the U.S. Court of Appeals for the Ninth Circuit upended decades of said law when it affirmed a lower court decision revoking an approved mine plan for the Rosemont Copper mine project.

The decision limited the ability of the Forest Service to approve necessary mining support facilities and activity, which is necessary for mining operations. This decision from the Ninth Circuit put virtually every new domestic mining project in jeopardy.

During our legislative hearing earlier this year, an official from the Biden administration argued that it won't be necessary to codify the Rosemont fix into law simply because of an existing solicitor's opinion from last year that he argued addressed the issue at hand.

However, this same witness also admitted the obvious. The solicitor's opinion can be rescinded or changed with the stroke of a pen. The solicitor's opinion is an administrative action that can be undone or changed at the whim of this or any future administration.

We all know the durability of administrative actions. These actions are law of the land for 4, maybe 8 years in some cases.

Mr. Speaker, considering domestic mining projects are multidecade investments, why would a mining company ever decide to invest billions of dollars in a project when they are only guaranteed 4 or perhaps 8 years of regulatory clarity? That is why the bicameral, bipartisan Mining Regulatory Clarity Act is necessary.

The only way to fix the Rosemont decision is to codify the fix in law. This legislation, contrary to what some of my colleagues will argue, won't radically change or create new domestic mining policy. It simply builds regulatory certainty and reinstates the longstanding interpretation of the Mining Law of 1872 and longstanding agen-

cy regulations that were the law of the land before 2022.

We are all well aware of the Biden administration's ambitious goals to transition to renewable energy and other technologies that rely on critical and rare earth minerals.

Mr. Speaker, if we can't mine these minerals domestically, thanks, in part, to the Rosemont decision blocking new domestic mines, where does the administration expect these minerals to come from? The only answer I can think of is adversarial nations like China.

Continued lack of clarity on the Rosemont decision is not a benefit to the American people but a benefit to the Chinese Communist Party.

The answer is pretty clear. You can either support domestic mining with the strictest environmental and labor standards here in the United States and across the world, or you can support Chinese Communist Party-controlled mineral supplies that have zero environmental standards, zero labor standards, and they use child and forced slave labor. That is a fact.

I urge my colleagues to support this bill, Mr. Speaker.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

I deeply appreciate my friends across the aisle for their clarification of their intent, but unfortunately, we can't go forward based on intent. We actually have to go forward based on the bill that they introduced and are asking us to vote on.

I am going to do a little reading from your bill to help clarify for the American people what this bill actually says.

First of all, it addresses security of tenure. For folks that aren't familiar with this kind of jargon, that means ownership, who gets to hold the rights to this land.

Then it defines the kinds of operations that would be tied to this tenure. So let me read them to you. This is what it says in the bill: "Prospecting, exploration, discovery and assessment, development, extraction, or processing." It also goes on to clarify that you can do any activity that is found to be reasonably incident to an activity described in another clause of this bill.

It goes on to say right here in the bill, words on the page, and this is what we were asked to vote on: The "Rights to Use, Occupation and Operations"—which we have already laid out is basically anything you want to do on the land—"A claimant shall have the right to use and occupy to conduct operations on public land, with or without the discovery of a valuable mineral deposit. . . ."

Yo. This is a giveaway of our public lands. You can say whatever you want on the floor, but the bill that we are voting on literally says: Whatever you want to do on that land, as long as you pay the fee of \$10, you show up, and you

make the claim, it is yours. This is a giveaway of public lands. It guts the only safeguard from our Mining Law of 1872.

I want to just make that clarification, and in a moment, we will get more into Rosemont, but I do want to take the opportunity to yield to my dear friend.

Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I thank the gentlewoman from New Mexico for yielding, and I thank her for also actually reading the bill. Sometimes the truth matters in these debates.

We have to take many things with a grain of salt. We have been lectured about national security from folks who just last week voted to deny aid to Ukraine. The pro-Putin caucus is actually lecturing us about national security. You have to take it all with a grain of salt or maybe with a glass of vodka in this particular case.

In regard to this bill, the mining industry says they need this bill to provide regulatory clarity. Well, if it is clarity our colleagues across the aisle are seeking, this bill certainly delivers it because in the name of regulatory clarity, they would let any mining company do, essentially, whatever they want in any open area of public lands.

We have our long-outdated Mining Law of 1872 that already gives more rights to miners than any other public land users by far.

Under current law, as long as they have four stakes in the ground and keep up with their nominal annual fees, any open public lands are theirs for the taking.

Of course, for our colleagues across the aisle, that is not enough. For the mining industry, it is never enough.

□ 1430

Under this bill, the land that they are after wouldn't even need to have valuable minerals for miners to hold a valid mining claim. Under this bill, they actually don't even need to have a mining claim at all. This bill would allow any activity even slightly related to prospecting, exploration, discovery and assessment, development, extraction, or processing of minerals, regardless of whether that activity is carried out on a mining claim. It also waives any payment of fair market value for the use of public lands and resources for mining-related activities.

My colleagues say they are interested in clarity. Let's be very clear what all of this means. If a mining corporation decided to build a large-scale power plant directly outside a national park to support their claim, they could do it under this bill. That same mining corporation could build a polluting processing plant right next to the power plant and suck the aquifers dry to support their mine, under this bill.

They could build a network of pipelines and roads or anything else the mining company decides is "necessary

infrastructure" across grazing areas or priority areas for renewable energy development or anything else they want.

They could also permanently bury sacred sites near their mining claim. They could bury it in toxic waste under this bill. None of these tangential activities would have to go through the usual evaluation of public lands use because they would be given the same priority rights the mining industry already enjoys on public lands.

If all of that wasn't enough, under this bill, the mining industry, or, frankly, any bad actor with a handful of dollars, could effectively block any other use of our public lands, like recreation, like natural carbon storage, access to traditional and cultural resources, renewable energy projects, or any number of other important uses.

This bill says that anyone—and I do mean anyone—could do any so-called mining-related activities on or off a mining claim for a mere \$10 per acre per year.

This entire bill is one of the most egregious giveaways of our public lands and resources most of us have ever seen, and that is saying something because we have seen a lot of proposed giveaways from our friends across the aisle. Our public lands would become the mining industry's playground or dumping grounds as they see fit.

There are other important uses for our public lands. Our public lands and waters should also be considered for solar, for wind, and for geothermal resources. This bill threatens to hand absolute control to mining companies and would jeopardize the crucial role public lands can play in responsible, renewable energy production, among other important uses.

Our public lands serve as substantial carbon sinks, aiding both communities and ecosystems in adapting to the challenges brought on by the climate crisis that our friends ignore and deny.

These lands should not belong to the mining industry and other exploitive actors. They should belong to all Americans.

Our public lands deserve our protection. We need real reform of this antiquated mining law from 1872 to put other uses of our public lands on equal footing with the mining industry. We need to prioritize Tribal sovereignty, community input, and environmental protection to give Americans a fair return for their public minerals.

The good news is, that bill already exists, and I am a proud cosponsor of ranking member Grijalva's Clean Energy Minerals Reform Act. It would do all of those important things. That is the bill we should be considering today. Instead, we have the bill before us that would double down on the mining law of 1872's worst ideas.

This is the wrong move for a modern, sustainable mining industry, it is the wrong move for America, and I urge my colleagues to vote "no."

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

As I talked earlier about the Constitution and how it is the legislature that makes the laws, it is not through an administrative rule and it is also not by court decision, not the third branch of government that gets to make the laws. It is Congress that gets to make the laws.

When the Court has stepped in and made a ruling that creates uncertainty, it is causing mines not to be developed in the United States. Mining companies don't know if they can get a permit. If they cannot get a permit, they have to prove that there is material there before they get a chance to develop the permit. We need this legislative fix that only Congress can provide, to provide clarity and certainty so that we can develop these mineral resources here in the United States, which simply isn't happening today.

I will remind my friends across the aisle that under the law that this bill would codify, operators must still, as they have for decades, submit a mine plan of operations to the BLM or Forest Service for approval before building a new mine under the authorities that we would be giving them in this legislation.

The Bureau of Land Management and the Forest Service both have strict time-bound requirements on what a claimant must do to maintain a claim and what they can do with a claim on Federal land to conduct mining.

If a claim holder does not meet these requirements, BLM or the Forest Service has the power to enforce compliance or immediately suspend the claimant from the area.

Now, while my friends across the aisle are doubling down on this administration's attack on American mining and energy development, while they are cheering on the Ninth Circuit, Republicans are taking action.

Mining is not happening in the United States because of the impediments that my friends across the aisle are causing.

Where is mining taking place? It is happening in China. If you go back just to 1995 and take one mineral that is critical to the lower-carbon energy sector that my friends talk about so much, you can't do that without copper. In 1995, the United States produced over three times more copper than China. If you look at 2020, China is producing about 10 times more copper than we are.

This is one metal. We could repeat this chart for critical elements and for other metals. If you look at it for steel, we produced more steel than China in 1995. They produce 12 times more steel than we do today.

When these renewable energy projects take place, when mandates are put out there to build electric vehicles, where are these materials coming from? We don't have the processing capacity anymore either. We have got two copper smelters. China has got over 50.

China controls 60 percent of global production, an estimated 90 percent of

processing, and over 75 percent of manufacturing of critical minerals. In terms of individual minerals, China refines 72 percent of global-refined cobalt, 98 percent of global gallium, and 85 percent of global-refined rare-earth elements.

China also currently dominates the world's electric battery market, producing about 90 percent of the raw materials and 77 percent of global EV battery manufacturing capacity.

Disallowing domestic mining will only drive both our allies and ourselves into further reliance on China. We are disallowing mining at the same time we are putting mandates out there for people to drive electric vehicles.

By breaking even the first link in the Chinese global supply chain, we will be able to send strong market signals to American companies looking to invest in domestic mining and processing ventures. That is what H.R. 2925 would do.

The Republican ideas are pro-America and pro-American supply chain. They are using the resources that God has blessed us with. If we don't pass this bill, we are just going to be more reliant on China, and we are going to see less development in the U.S.

Mr. Speaker, I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

I want to take on some of these arguments to make sure that folks understand the broader context in which American mining and manufacturing occurs.

First of all, we just heard some claims that these mining companies can't figure out how to get their mines permitted. Well, I hate to inform my colleagues across the aisle, but most of our companies these days are multibillion-dollar, multinational companies that spend literally millions of dollars a year to lobby Federal, State, and local entities and to employ folks to navigate these processes. These are not entities that are struggling to figure out processes.

Secondly, the United States has not disallowed mining. There are many mines in operation. If my friends across the aisle would like to visit New Mexico, I can take you to one of the largest copper mines in North America. There is lots of mining happening in the United States.

It is true that up until the 1990s, we were a net exporter of critical minerals here in the United States. What caused American production to tank was not laws and regulations; it was global commodity prices, just like oil and gas. What happens when there is international competition is that local entities cannot compete because of competitiveness on the global commodities market.

We are all for American competition. We are all for Made in America. That is why our President, of course, has led, and the Democratic Congress passed, three major bills for a renaissance of

American manufacturing and our economy: The Bipartisan Infrastructure Law, the American Chips and Science Act, and the Inflation Reduction Act, which are making the largest single investment in reshoring American jobs in modern history. That is the reality of what is happening on the ground.

I want to take the opportunity to yield to my dear friend and my sister from New Mexico.

Mr. Speaker, I yield 4 minutes to the gentlewoman from New Mexico (Ms. LEDGER FERNANDEZ).

Ms. LEDGER FERNANDEZ. Mr. Speaker, America was blessed by our creator with natural beauty and an abundance of natural resources, from grazing to farmlands to minerals, fossil fuels, solar, and wind so we could feed our families and fuel our progress.

We owe the American people, and, most importantly, our children and grandchildren, a duty to protect those resources so they are available for future generations and Americans are not left with public lands that have been degraded, mines that have been depleted, and profits sent off to foreign corporations. Yes, there are profits sent to China because they own some of those mines.

H.R. 2925 would make it harder to protect the lands that make this country beautiful. Worst of all, it favors the biggest mining corporations and even allows foreign corporations to take American resources for free.

There is a long history of bad actors exploiting, misusing, and abusing their mining claims, especially those corporations with ties to foreign adversarial nations.

H.R. 2925 would give away our Federal lands to these bad actors. Why would Republicans work on a bipartisan basis to ban China from mining American data with TikTok but then be okay with China mining American natural resources for free? Why?

Under the Republicans' proposal, Chinese corporations with the money could put four sticks in the ground, pay a fee, and then claim that land for mining without even proving the existence of these important minerals.

I also point out, in response to my esteemed colleague, that there is mining going on. As noted earlier, we have the Chino mine in New Mexico. It produces copper. It has been producing copper for generations, in fact, for hundreds of years.

Guess what. It is an American company. Freeport-McMoRan is an American company. It is international, but it is American.

We want to do that. We want to make sure that American companies are the ones mining American resources. These are public resources.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to committee. If the House rules permitted, I would have offered the motion with an important amendment to this bill.

My amendment would bar companies from adversarial nations, including

China, from conducting mining activities on our public lands. They shouldn't be allowed to exploit American resources and pollute our public lands and to take those resources back to China for free.

Let's make sure the profits stay here, the resources stay here, and the innovation stays here. Why wouldn't my Republican colleagues support that kind of amendment?

I ask unanimous consent to insert in the RECORD the text of this amendment immediately prior to the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEDGER FERNANDEZ. Mr. Speaker, I hope my colleagues will join me in pushing back against China owning our resources and voting for this and making sure American companies are the ones owning our resources. I hope they will vote for the motion to recommit.

□ 1445

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I find it very rich that my friends across the aisle are bringing China into the equation now. The simple fact is that, under this administration and under this court ruling, nobody is going to be mining in the United States. They know China is not going to mine anything here under their policies, but also no American companies are going to be able to develop mines under their policies.

At the same time, they are pushing this electrification of everything and electric vehicles. They approved billions and billions of dollars in the so-called Inflation Reduction Act. That is hard to say because we all know it drove inflation higher. In that bill, the IRA, they approved billions of dollars to invest in things that require metals and critical minerals.

The question was asked in the opening statement: Who wants this? Who wants mining in the United States?

I think the answer is everybody wants what comes from mining except my friends across the aisle. They don't want it in their backyard. They want their cake, and they want to be able to eat it, too. They want to have all these metals and critical elements that can be used to make and manufacture the things that they think are going to save the planet, but they just don't want it to happen here in the U.S., where we have the strictest mining laws, the strictest labor laws, and the strictest safety laws. We do things right here. We recover mines correctly.

What they want to do is have all their electric cars, solar farms, windmills, and transmission lines and magically get this material from somewhere else.

There are mines. There are still mines all across this country, but the

fact is they are not even coming close to meeting the demands that we have. Even though we have everything we need in the U.S., it is just in the ground.

Reaching net zero emissions by 2050 would require more copper than has been produced over the entire course of human history. That is the challenge we face under Democratic policy: a demand for more copper than we have mined in human history between now and 2050 if we were going to get to net zero emissions.

How are we going to do that if we don't use the elements and minerals that God has blessed us with here in our country? The simple answer is that we are going to have to rely on somebody else to supply that. Guess who the number one supplier of nearly every one of those metals and elements is in the world today? It is China. That is the simple fact.

We can make a decision to either support H.R. 2925 and support American minerals and resources, or we can leave the status quo under the Rosemont court ruling and rely more on China and others, even Russia. We have talked about nuclear power, which could be a great contributor to zero emission energy. Most of our uranium now comes from Russia.

So whom do we want to rely on? Where do we want that wealth to go when Americans spend their money on energy and minerals? I would rather it stay here in America supporting American mining, supporting American jobs, and supporting American processing and manufacturing.

Mr. Speaker, I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to reiterate that we do have mining in our backyards. As the gentlewoman from New Mexico and I both noted, we have multiple mines in New Mexico. What we don't want are mines poisoning our watersheds and destroying sacred sites irrevocably. What we fear and what we know, based on the language that is in the bill that we will be voting on and that we are debating today, is that that would be the outcome of what they are trying to pass.

I also want to clarify for the record that we actually had Secretary Deb Haaland this morning in front of our committee. She stated this morning that the Biden administration has approved 40 new mines or mining modification permits just since President Biden took office, including 5 critical minerals mines, so the assertion that we heard this afternoon that there has been no new mining is just false.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is another side to this story, as well. My colleagues can

try to frame it that they are okay with it in their backyard because they have some of it there, but for the future, they don't want any more of it in their backyard.

I am from Arkansas. We have about 10 percent of our landmass as Federal lands, but when you go out West, Federal lands can account for as much as 86 percent of the land area in certain States and can account for 75 percent of our Nation's metals production.

When you look at that, Mr. Speaker, more than one-half of federally owned public lands are already either restricted or banned to mining operations due to withdrawals under the Federal Land Policy and Management Act, the Antiquities Act, and specific congressional actions.

If land hasn't been withdrawn from operation under the mining law, such as the land outside the Grand Canyon, then no new mining claims can be staked.

So, I am asking, how much is enough? How much of our land do we have to lock up and say that you can't have access, can't manage it, can't produce energy off of it, and can't mine on it?

It seems as if, as time goes on, the answer is all of it. We want to lock all of it up. We want to be reliant on somebody else who is doing a lot more damage to the environment somewhere on the planet than we do here in the U.S. when we mine in a very environmentally friendly manner and sustainably with the highest levels of standards.

Mr. Speaker, we can try to frame this any way you want to, but when we are having to import so much of our metals and critical minerals when they are right here in the ground in the United States, then that is a "not in my backyard" policy.

Mr. Speaker, I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I feel compelled to address the specific example that was just brought forward about a mining exclusion in the Grand Canyon because I believe that the exclusion that we are talking about was to mine uranium in the Grand Canyon.

Now, I ask the American people: Is that what you would like to see?

In New Mexico, we know the legacy of uranium mining. Our communities are dying from it, the mining communities whose water has been poisoned for generations and those who have been impacted by the materials that were built from that uranium.

That is why Congresswoman LEGER FERNANDEZ has been leading an effort that is bipartisan and bicameral with our colleagues from New Mexico to get a RECA amendment passed in this Chamber so that we can help address those communities.

That is why we should not be mining uranium in the Grand Canyon.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to assert my firm belief that we should not be mining uranium in the Grand Canyon.

Nobody was ever proposing to mine uranium in the Grand Canyon, but a favorite talking point of my colleagues across the aisle is to say that these evil mining companies are going to be mining uranium in the Grand Canyon.

It is as if there is going to be this big excavator reaching over the side, digging out and making the Grand Canyon even more grand. The uranium deposits are well outside the boundaries of Grand Canyon National Park. They are in land north of the Grand Canyon between the boundary of the Grand Canyon National Park and the State of Utah.

It is an easy talking point to say that we are going to ban mining in the Grand Canyon. Guess what, Mr. Speaker? I don't know anybody who wants to mine in the Grand Canyon.

I do want to reiterate and push back on the assertion that the Mining Regulatory Clarity Act is unnecessary and that mining companies should have to prove the existence of a valid claim before beginning any operations.

A 2020 Department of the Interior solicitor's opinion stated: "As a practical matter, requiring the discovery of a valuable mineral deposit before allowing any reasonably incident mining uses, including the removal of any minerals, puts the cart before the horse, since such uses and removal are necessary to make a discovery. If entering open lands to explore for and develop minerals is considered 'unauthorized' unless or until miners have proven a discovery of a valuable mineral deposit, they could not, as a practical matter, ever discover a valuable mineral deposit and all mining would effectively be prohibited. Such an outcome was clearly not the intent of Congress, in no small part because such an interpretation would also leave many, if not most, miners legally in trespass." That all came from that solicitor's opinion.

It is clear that H.R. 2925 is a legislative fix that only Congress can provide. It is needed to provide clarity and certainty in the United States' ability to responsibly mine materials essential to our national security and to make us economically competitive.

Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Ms. STANSBURY. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, proponents of H.R. 2925 would like to argue that this bill is a surgical fix to a problem created by the Ninth Circuit Court of Appeals' decision on the Rosemont Copper Mine. If this is surgery, then like the mining law of 1872, it is surgery with an ax, not a scalpel. If that evokes an image for you of our post-Civil War surgical maneuvers, then that is what this bill

does because it takes away guardrails to protect our communities.

Let's clarify. In 2022, a panel of the Ninth Circuit Court ruled that the proposed Rosemont mine in southern Arizona could not use invalid mining claims to permanently bury Colorado's thousands of acres of national forests in mining waste, including sites that were sacred to multiple Tribes. The court ruled that it was not a valid mining claim to do this.

The requirement that mining claims must contain valuable minerals for the claim to be valid is a core tenet of the mining law. It is the one, as we have said, fragile guardrail that we have in this antiquated law.

For over 150 years, the mining law of 1872 has given mining precedence over all other uses and values of our public lands. This imbalance of power has left a toxic trail of pollution, destruction, and desecration of sacred sites, and it continues to impact our communities today.

We urgently need to reform the mining law. Instead, the bill that is being put forward here today would make things worse and take us back. It is such a breathtaking giveaway of our public lands that former Department of the Interior Solicitor John Leshy said that it should be called the mining charity act because of the giveaways for these mining companies rather than the Mining Regulatory Clarity Act.

This bill allows anyone to put a stake in the ground in any open public land and pay less than \$10 a year to make a claim to those rights forever. Our public land managers have long said that once there is a mining claim in place, they cannot say no to anything mining related on that land.

If this bill becomes law, then the mining industry would be free to pick and choose which of our public lands to lock away and then permanently bury, destroy watersheds, or pollute our communities, to do whatever it wants on those lands that it has tied up. The unintended consequences of this bill go far beyond mining and could hurt our communities irrevocably.

I want to reiterate that this bill empowers anyone with a few dollars, including foreign companies in adversarial nations, to blanket our public lands in untouchable mining claims and block other uses of this land. This bill will create chaos, not clarity, on our public lands.

Mr. Speaker, I urge opposition to this bill, and I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, again, I urge my colleagues to support H.R. 2925. Contrary to the misconceptions that I have heard regarding the bill, this legislation does not grant mining companies free license to do whatever they want on Federal lands. It does not exempt mining activity from NEPA or any

other environmental review. It does not allow companies to subvert governmental authority or oversight. It simply restates over a century of mining law and decades of regulatory practice.

In passing this bill, we will reaffirm American miners' rights to operate under the law, just as they have done for decades, to provide the essential materials we depend on every day.

Mr. Speaker, I thank Congressman AMODEI for his work to bring H.R. 2925 to the floor, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1173, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Motion to Recommit

Ms. LEGER FERNANDEZ. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Leger Fernandez of New Mexico moves to recommit the bill H.R. 2925 to the Committee on Natural Resources.

The material previously referred to by Ms. LEGER FERNANDEZ is as follows:

Ms. Leger Fernandez moves to recommit the bill H.R. 2925 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

SEC. 3. BARRING ADVERSARIAL NATIONS FROM OPERATING ON PUBLIC LAND.

Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended by adding at the end the following:

“(f) BARRING ADVERSARIAL NATIONS FROM OPERATING ON PUBLIC LAND.—A mining claimant shall be barred from the right to use, occupy, and conduct operations on public land if the Secretary of the Interior finds the claimant has a parent company that is incorporated in, located in, or controlled by an adversarial nation.”.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. LEGER FERNANDEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 1500

ALASKA'S RIGHT TO PRODUCE ACT OF 2023

Mr. WESTERMAN. Mr. Speaker, pursuant to House Resolution 1173, I call

up the bill (H.R. 6285) to ratify and approve all authorizations, permits, verifications, extensions, biological opinions, incidental take statements, and any other approvals or orders issued pursuant to Federal law necessary for the establishment and administration of the Coastal Plain oil and gas leasing program, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SELF). Pursuant to House Resolution 1173, the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, modified by the amendment printed in part A of House Report 118-477 shall be considered as adopted and the bill, as amended, is considered read.

The text of the bill is as follows:

H.R. 6285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alaska’s Right to Produce Act of 2023”.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds that—

(1) *Congress provided clear authorization and direction that the Secretary of the Interior “shall establish and administer a competitive oil and gas program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain” in section 20001 of Public Law 115-97 (16 U.S.C. 3143 note) (commonly known as the Tax Cuts and Jobs Act);*

(2) *the timely administration of the Coastal Plain Oil and Gas Leasing Program is required and in the national and public interest;*

(3) *the Department of the Interior’s cancelling of the leases for the covered Coastal Plain lease tracts represents a major decision of economic and political significance that Congress did not delegate to the Secretary;*

(4) *the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6501 et seq.) requires that the Bureau of Land Management—*

(A) *allow for the exploration, development, and production of petroleum products in the National Petroleum Reserve in Alaska; and*

(B) *balance, to the extent consistent with that Act, the protection of ecological and cultural values in the National Petroleum Reserve in Alaska; and*

(5) *the proposed rule of the Bureau of Land Management entitled “Management and Protection of the National Petroleum Reserve in Alaska” (88 Fed. Reg. 62025 (September 8, 2023)) fails to reflect the intent of Congress for the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6501 et seq.).*

SEC. 3. DEFINITIONS.

In this Act:

(1) **COASTAL PLAIN.**—The term “Coastal Plain” has the meaning given the term in section 20001(a) of Public Law 115-97 (16 U.S.C. 3143 note).

(2) **COASTAL PLAIN OIL AND GAS LEASING PROGRAM.**—The term “Coastal Plain oil and gas leasing program” means the program established under section 20001(b)(2)(A) of Public Law 115-97 (16 U.S.C. 3143 note).

(3) **COVERED COASTAL PLAIN LEASE TRACT.**—The term “covered Coastal Plain lease tract” means any of tracts 16, 17, 24, 26, 27, and 30 as listed in exhibit B of the document published by the Bureau of Land Management entitled “Amendment to the Detailed Statement of Sale” and dated December 18, 2020 (relating to oil and gas leasing within the Coastal Plain Alaska).