

**AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MS. HERRELL OF NEW MEXICO**

Page 117, after line 22, insert the following:

1 **SEC. 70808. PROHIBITION ON MORATORIA OF NEW ENERGY**
2 **LEASES ON CERTAIN FEDERAL LAND AND ON**
3 **WITHDRAWAL OF FEDERAL LAND FROM EN-**
4 **ERGY DEVELOPMENT.**

5 (a) DEFINITIONS.—In this section:

6 (1) CRITICAL MINERAL.—The term “critical
7 mineral” means any mineral included on the list of
8 critical minerals published in the notice of the Sec-
9 retary of the Interior entitled “Final List of Critical
10 Minerals 2018” (83 Fed. Reg. 23295 (May 18,
11 2018)).

12 (2) FEDERAL LAND.—

13 (A) IN GENERAL.—The term “Federal
14 land” means—

15 (i) National Forest System land;

16 (ii) public lands (as defined in section
17 103 of the Federal Land Policy and Man-
18 agement Act of 1976 (43 U.S.C. 1702));

19 (iii) the outer Continental Shelf (as
20 defined in section 2 of the Outer Conti-

1 nental Shelf Lands Act (43 U.S.C. 1331));

2 and

3 (iv) land managed by the Secretary of

4 Energy.

5 (B) INCLUSION.—The term “Federal

6 land” includes land described in clauses (i)

7 through (iv) of subparagraph (A) for which the

8 rights to the surface estate or subsurface estate

9 are owned by a non-Federal entity.

10 (3) PRESIDENT.—The term “President” means

11 the President or any designee, including—

12 (A) the Secretary of Agriculture;

13 (B) the Secretary of Energy; and

14 (C) the Secretary of the Interior.

15 (b) PROHIBITIONS.—

16 (1) IN GENERAL.—Notwithstanding any other

17 provision of law, the President shall not carry out

18 any action that would prohibit or substantially delay

19 the issuance of any of the following on Federal land,

20 unless such an action has been authorized by an Act

21 of Congress:

22 (A) New oil and gas leases, drill permits,
23 approvals, or authorizations.

24 (B) New coal leases, permits, approvals, or
25 authorizations.

1 (C) New hard rock leases, permits, approv-
2 als, or authorizations.

3 (D) New critical minerals leases, permits,
4 approvals, or authorizations.

5 (2) PROHIBITION ON WITHDRAWAL.—Notwith-
6 standing any other provision of law, the President
7 shall not withdraw any Federal land from forms of
8 entry, appropriation, or disposal under the public
9 land laws, location, entry, and patent under the min-
10 ing laws, or disposition under laws pertaining to
11 mineral and geothermal leasing or mineral materials
12 unless the withdrawal has been authorized by an Act
13 of Congress.

