



HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Energy and Mineral Resources Republican Members  
**From:** Subcommittee on Energy and Mineral Resources Staff, Rob MacGregor  
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**Date:** Tuesday, September 2, 2025  
**Subject:** Legislative Hearing on 6 Bills

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The Subcommittee on Energy and Mineral Resources will hold a legislative hearing on H.R. 280 (Rep. Hageman), “*Combating Obstruction Against Leasing Act of 2025*” or the “*COAL Act of 2025*”; H.R. 1366 (Rep. Amodei), “*Mining Regulatory Clarity Act of 2025*”; H.R. 3872 (Rep. Fallon), “*Mineral Extraction for Renewable Industry and Critical Applications Act of 2025*” or the “*MERICA Act of 2025*”; H.R. 4018 (Rep. Ezell), To unleash America’s offshore critical minerals and resources; H.R. 4068 (Rep. Collins), “*Streamlining NEPA for Coal Act*”; and H.R. 4090 (Rep. Stauber), To codify certain provisions of certain Executive Orders relating to domestic mining and hardrock mineral resources, and for other purposes.

The hearing will take place on **Wednesday, September 3, 2025, at 10:15 a.m.** in room 1324 Longworth House Office Building.

Member offices are requested to notify Kenna Cline ([Kenna.Cline@mail.house.gov](mailto:Kenna.Cline@mail.house.gov)) by 4:30 p.m. on Tuesday, September 2, 2025, if their Member intends to participate in the hearing.

## **I. KEY MESSAGES**

- Coal is a crucial component of the United States’ energy portfolio. Coal mining supports thousands of jobs and generates billions of dollars in revenue, some of which is used by states to reclaim legacy coal mines. H.R. 280 and H.R. 4068 will help bolster U.S. energy security by streamlining coal production on federal lands and preventing political moratoria on domestic coal production.
- In 2022, the U.S. Court of Appeals for the Ninth Circuit affirmed a lower court decision revoking an approved mine plan for the Rosemont Copper Mine Project (*Rosemont* decision), impacting hardrock mining projects across western states. H.R. 1366 would provide the certainty needed for domestic mining projects to move forward.
- The Mineral Leasing Act for Acquired Lands’ (MLAAL) omission of hardrock minerals has effectively locked up federally acquired lands that hold key mineral resources. H.R. 3872 would address this issue by amending MLAAL to clarify that all federally acquired lands are eligible to be considered for hardrock mineral leasing.

- From Day One of his second term, President Trump has acted swiftly to put the U.S. on a path towards mineral dominance through new executive orders (EOs). H.R. 4090 would codify provisions of these EOs that fall within the House Committee on Natural Resources' jurisdiction and require new studies that support underlying hardrock mineral production and supply chain objectives identified by the Trump administration.
- House Republicans and the Trump administration are leading the charge to unlock America's vast offshore mineral wealth, counter Chinese mineral dominance, and secure critical supply chains through a bold, all-of-the-above strategy for seabed resource development. H.R. 4018 codifies urgently needed reforms to streamline and accelerate domestic deep sea mineral exploration, leasing, and development.

## II. WITNESSES

### Panel I (Members of Congress):

- To Be Announced

### Panel II (Administration Witness):

- **Mr. Adam Suess**, Acting Assistant Secretary for Land and Minerals Management, U.S. Department of the Interior, Washington, D.C. [*All bills*]

### Panel III (Outside Experts):

- **Ms. Debra W. Struhsacker**, Mining and Public Lands Policy Consultant and Co-Founder, The Women's Mining Coalition, Reno, NV [*H.R. 1366, H.R. 3872, H.R. 4090*]
- **Mr. Travis Deti**, Executive Director, Wyoming Mining Association, Cheyenne, WY [*H.R. 280, H.R. 4068*]
- **Mr. Hans Smit**, President and CEO, Ocean Minerals LLC, Spring, TX [*H.R. 4018*]
- **Dr. Steve Feldgus**, former Principal Deputy Assistant Secretary, Land and Minerals Management, U.S. Department of the Interior, Washington, D.C. [*All bills*] [*Minority witness*]

## III. BACKGROUND

### H.R. 280 (Rep. Hageman), “Combating Obstruction Against Leasing Act of 2025” or the “COAL Act of 2025”

New federal coal leasing was repeatedly interrupted during the Obama and Biden administrations. On January 15, 2016, President Obama's then-Secretary of the Interior, Sally Jewell, initiated a Programmatic Environmental Impact Statement (PEIS) to examine the supposed environmental impacts of federal coal production, issuing a moratorium on new leasing until the study's completion.<sup>1</sup> The following year, President Trump's then-Secretary of the Interior, Ryan Zinke, deemed the PEIS “costly and unnecessary” and lifted the moratorium.<sup>2</sup>

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<sup>1</sup> U.S. Department of the Interior, Press Release, “Secretary Jewell Launches Comprehensive Review of Federal Coal Program,” January 15, 2016, <https://www.doi.gov/pressreleases/secretary-jewell-launches-comprehensive-review-federal-coal-program>.

<sup>2</sup> Dylan Brown, “Zinke ends coal ban, creates panel to review royalties,” E&E News, March 29, 2017, <https://subscriber.politicopro.com/article/eenews/1060052294>.

However, the federal coal program experienced another reversal just a few years later under the Biden administration. On April 16, 2021, Secretary of the Interior Deb Haaland issued Secretarial Order 3398, once again pausing coal leasing and initiating a new review of the federal coal program.<sup>3</sup> On August 12, 2022, a federal judge ordered the Bureau of Land Management (BLM) to fully reimpose the Obama-era moratorium on new leasing. On May 1, 2023, the Department of the Interior (DOI) announced its intent to initiate yet another environmental impact statement (EIS) to evaluate the impacts of maintaining or revoking the coal moratorium,<sup>4</sup> even though no EIS was required to implement the 2016 moratorium in the first place. Democrats' repeated attempts to prohibit coal leasing suggest an ideological basis for their interference, which has curtailed investment and brought extreme uncertainty to the future of coal production from federal coal leases.

Beyond these moratoria, Democrat administrations have used other strategies to hinder coal production. For example, the Black Butte mine, located in Point of Rocks, Wyoming, submitted a mine plan amendment in 2019 to expand operations by an additional 9.2 million tons of coal, which was approved by the state on January 15, 2021.<sup>5</sup> Despite having secured this approval more than four years ago, the plan amendment has still not been approved by DOI. Wyoming Governor Mark Gordon summarized many concerns about these delays in a letter to Secretary Haaland, stating in part that the Office of Surface Mining Reclamation and Enforcement (OSMRE):

“... has continually requested more information for completion of their review and approval, and apparently have deliberately delayed processing the application . . . . After several reviews/approvals by the Office of the Solicitor, the approval appears to have stalled. At this time, the coal within the proposed federal mine plan amendment has been through three [National Environmental Policy Act (NEPA)] reviews. All of which are complete.”<sup>6</sup>

H.R. 280, introduced by Representative Harriet Hageman (R-WY-At Large), would undo the Obama and Biden administrations' harmful actions and codify key aspects of the Trump administration's EO 14261, "Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241,"<sup>7</sup> by nullifying DOI's Secretarial Order 3338, which placed a moratorium on new federal coal leases.<sup>8</sup> That moratorium effectively crippled the industry by not allowing any new leases to be processed until the federal coal program underwent a comprehensive review.

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<sup>3</sup> U.S. Department of the Interior, Order No. 3398, April 16, 2021, [https://www.doi.gov/sites/doi.gov/files/elips/documents/so-3398-508\\_0.pdf](https://www.doi.gov/sites/doi.gov/files/elips/documents/so-3398-508_0.pdf).

<sup>4</sup> 88 F.R. 26588.

<sup>5</sup> Letter to Secretary Deb Haaland, U.S. Department of the Interior, from Governor Mark Gordon, State of Wyoming, April 25, 2023. <https://republicans-naturalresources.house.gov/UploadedFiles/Govlethaalandbbmine4-25-23.pdf>.

<sup>6</sup> *Id.*

<sup>7</sup> Executive Order 14261, "Unleashing America's Offshore Critical Minerals and Resources," The White House, Apr. 8, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/>.

<sup>8</sup> U.S. Department of the Interior, Order No. 3338, January 15, 2016, [https://www.blm.gov/sites/blm.gov/files/programs\\_energyandminerals\\_coalSO3338.pdf](https://www.blm.gov/sites/blm.gov/files/programs_energyandminerals_coalSO3338.pdf).

This bill also expedites the leasing process for qualified applications (i.e., for any coal lease application that has already commenced under NEPA). Changes include requiring the BLM to publish a draft environmental assessment, finalize the fair market value of the coal tract at hand, take all actions necessary to grant the qualified application, and then ultimately grant the qualified application.

Aspects of this bill, namely expediting the NEPA process for coal projects that are considered qualified applications, were signed into law as a part of H.R. 1, the One Big Beautiful Bill Act (OBBBA).<sup>9</sup>

The U.S. urgently needs more coal production to meet growing energy demands and provide funding for essential services. In Wyoming, the nation's largest producer of federal coal, coal production generated total revenues of \$414.6 million in 2022.<sup>10</sup> Revenues from energy production, including coal, are used for a host of state services, including school funding. Wyoming's mineral wealth has allowed it to spend approximately \$16,751 per student each year, compared to the national average of \$13,494.<sup>11</sup> Just as robust coal production supports the state's economic wellbeing, blocking production tends to undermine it. In fact, every 5 percent decrease in coal production creates an adverse economic impact of roughly \$24.9 million.<sup>12</sup>

### H.R. 1366 (Rep. Amodei), the “Mining Regulatory Clarity Act of 2025”

In May 2022, the U.S. Court of Appeals for the Ninth Circuit affirmed a lower court decision revoking an approved mine plan of operation for the Rosemont Copper Mine Project, located partially in the Coronado National Forest in Pima County, Arizona.<sup>13</sup> The Center for Biological Diversity's and other special interest groups' challenge to the Rosemont mine plan focused on whether the U.S. Forest Service (USFS) could approve the disposal of overburden (waste rock) without first determining the validity of the mining claims where the overburden would be stored.

The Ninth Circuit's *Rosemont* decision limits USFS's ability to approve mining support activities necessary for conducting mining operations on federal land. This is no small matter, as the entire economic viability of a mine can hinge on the ability to use surrounding lands for activities incidental to mining, known as ancillary use.

Specifically, the *Rosemont* decision requires USFS to establish claim validity prior to approvals of ancillary use facilities on mining claims.<sup>14</sup> This new requirement upends more than 40 years of mining regulatory precedent and over a century of interpretation of the General Mining Law

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<sup>9</sup> Public Law No: 119-21, Section 50201.

<sup>10</sup> U.S. Department of the Interior, Office of Natural Resources Revenue, “Natural Resources Revenue Data,” <https://revenuedata.doi.gov/query-data/?dataType=Revenue#>.

<sup>11</sup> Keith Grant, “Wyoming's education system: a success story with leaders treading lightly to maintain the prosperity,” KEVN Black Hills Fox, February 27, 2023, <https://www.blackhillsfox.com/2023/02/28/wyomings-education-system-success-story-with-leaders-treading-lightly-maintain-prosperity/>.

<sup>12</sup> Wyoming Energy Authority, “FINAL WEA Comments Federal Coal EIS,” <https://wyoenergy.org/wp-content/uploads/2023/06/FINAL-WEA-Comments-Federal-Coal-EIS.docx.pdf>.

<sup>13</sup> *Ctr. for Biological Diversity v. U.S. Fish & Wildlife Serv.*, 33 F.4th 1202 (9th Cir. 2022).

<sup>14</sup> *Id.*

of 1872.<sup>15</sup> It also ignores specific USFS regulations that allow approvals of operations “on or off a mining claim,” so long as these operations meet environmental and regulatory standards.<sup>16</sup>

As a result of the Ninth Circuit’s unprecedented ruling, discovery *and* determination of a valid mineral deposit are now preconditions for approval of ancillary use facilities. This means that operators must prove the existence of a commercially developable deposit on a claim *before* a plan of operations that includes usage of the surface of that mining claim (such as for waste rock placements, mills, offices, roads, or transmission lines) can be approved.

Although the *Rosemont* decision involved USFS lands, the similarity between USFS and BLM regulations has prompted multiple lawsuits targeting proposed projects on BLM lands. Further, in a recent case challenging the agency’s approval of the Thacker Pass lithium mine in Nevada, a federal court determined that the *Rosemont* decision’s rationale was applicable to BLM lands.<sup>17</sup> If allowed to stand, the *Rosemont* decision will thwart hardrock mining projects across federal lands, further jeopardizing domestic mineral supply chains, the U.S. economy, and national security.

Recognizing these implications, the Trump administration is working to address the *Rosemont* decision. Section 4 of EO 14241, “Immediate Measures to Increase American Mineral Production,”<sup>18</sup> attempts to ameliorate *Rosemont*’s effects by requiring the Chair of the National Energy Dominance Council and the Director of the Office of Legislative Affairs to jointly submit recommendations for the President and Congress to clarify “the treatment of waste rock, tailings, and mine waste disposal under the Mining Act of 1872.”<sup>19</sup>

Sponsored by Representative Mark Amodei (R-NV-02), H.R. 1366 is not targeted at any single mining site but instead seeks to restore the longstanding certainty needed for mine operations across the nation. This bill would empower domestic mining to meet the extraordinary mineral demand required for U.S. manufacturing, energy, infrastructure, and national security. It does this by creating a new category of mill sites to ensure that operators can use federal lands, whether mineral or non-mineral in character, for activities ancillary to mining.

The legislation also creates the “Abandoned Hardrock Mine Fund” (Fund), which would support the abandoned hardrock mine reclamation program (Program) created under section 40704 of the Infrastructure Investment and Jobs Act (IIJA).<sup>20</sup> The Program was created to inventory, assess, decommission, reclaim, respond to hazardous substance releases on, and remediate abandoned hardrock mine lands. The Fund would obtain solvency from claim maintenance fees paid on the new mill site claims created by the legislation.

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<sup>15</sup> Sess. 2, ch. 152, 17 Stat. 91–96.

<sup>16</sup> 36 CFR Subpart A - Subpart A—Locatable Minerals. <https://www.law.cornell.edu/cfr/text/36/part-228/subpart-A>.

<sup>17</sup> See *Bartell Ranch LLC v. McCullough*, 2023 WL 1782343, \*4 (D. Nev., Feb. 6, 2023).

<sup>18</sup> Executive Order 14241, “Immediate Measures to Increase American Mineral Production,” The White House, March 20, 2025 <https://www.whitehouse.gov/presidential-actions/2025/03/immediate-measures-to-increase-american-mineral-production/>.

<sup>19</sup> *Id.*

<sup>20</sup> 30 U.S.C. 1245.

**H.R. 3872 (Rep. Fallon), “Mineral Extraction for Renewable Industry and Critical Applications Act of 2025” or the “MERICA Act of 2025”**

The laws and regulations governing mining on federal lands divide hardrock minerals into two main categories: locatable and leasable. Locatable minerals are subject to the Mining Law of 1872 and are generally found on public domain lands open to mineral entry, such as BLM lands in western states.<sup>21</sup> Leasable minerals are defined by the Mineral Leasing Act of 1920, and generally encompass minerals found on federally acquired lands, such as lands purchased by agencies, received by donation or exchange, or obtained through eminent domain.<sup>22</sup> Contrary to locatable mining claims, hardrock mineral leasing may be conducted via competitive or non-competitive processes.<sup>23</sup> Hardrock mineral lessees must also obtain different permits and licenses for exploration<sup>24</sup>, pay royalties, and receive consent from applicable surface managing agencies prior to development.<sup>25</sup>

The Mineral Leasing Act for Acquired Lands (MLAAL) typically governs mineral leasing on acquired federal lands. However, while minerals such as coal, phosphate, oil and gas, gilsonite, and sulfur are listed as “deposits subject to a lease” under MLAAL, the law doesn’t reference hardrock minerals.<sup>26</sup> As a result, hardrock mineral leasing may occur only on those acquired lands where specific authority exists under the statute used to acquire the land in question.<sup>27</sup> For example, the Act of June 30, 1950, allows hardrock mineral leasing on acquired National Forest lands in Minnesota.<sup>28</sup>

MLAAL’s omission of hardrock minerals has effectively locked up federally acquired lands that hold critical mineral resources. In northeast Texas, for example, the BLM is unable to even consider leasing for a valuable lithium deposit because the deposit is located on lands acquired by the federal government over 80 years ago.<sup>29</sup>

H.R. 3872, the “MERICA Act,” introduced by Representative Pat Fallon (R-TX-04), would address this issue by amending MLAAL to clarify that all federally acquired lands are eligible to be considered for hardrock mineral leasing. This legislation would provide the Secretary of the Interior with the legal authority needed to carry out President Trump’s EO entitled “Immediate Measures to Increase Mineral Production,” which directs executive branch departments to

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<sup>21</sup> Brandon S. Tracy, “Policy Topics and Background Related to Mining on Federal Lands,” Congressional Research Service, March 19, 2020, <https://www.congress.gov/crs-product/R46278#:~:text=Two%20statutes%20generally%20apply%20to,the%20National%20Environmental%20Policy%20Act.>

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> 43 CFR 3503.13, “For what areas may I receive a hardrock mineral permit or lease?” <https://www.ecfr.gov/current/title-43/subtitle-B/chapter-II/subchapter-C/part-3500/subpart-3503/subject-group-ECFR52b19836ee2e1b/section-3503.13>.

<sup>26</sup> 30 U.S. Code § 352 - Deposits subject to lease; consent of department heads; lands excluded, <https://www.law.cornell.edu/uscode/text/30/352>.

<sup>27</sup> 43 CFR 3503.13, “For what areas may I receive a hardrock mineral permit or lease?” <https://www.ecfr.gov/current/title-43/subtitle-B/chapter-II/subchapter-C/part-3500/subpart-3503/subject-group-ECFR52b19836ee2e1b/section-3503.13>.

<sup>28</sup> 16 USC 508b: National forests in Minnesota; authority to prospect, develop, mine, remove, and utilize mineral resources, [https://uscode.house.gov/view.xhtml?req=\(title:16%20section:508b%20edition:prelim\)#:~:text=16%20USC%20508b%3A%20National%20forests,remove%2C%20and%20utilize%20mineral%20resources.](https://uscode.house.gov/view.xhtml?req=(title:16%20section:508b%20edition:prelim)#:~:text=16%20USC%20508b%3A%20National%20forests,remove%2C%20and%20utilize%20mineral%20resources.)

<sup>29</sup> EMR Majority Staff Correspondence with BLM, January 13, 2025.



prioritize mineral leasing and development on federally managed lands.<sup>30</sup> By ensuring access to America’s vast resources, the MERICA Act will help to strengthen our economy, bolster national security, and maintain U.S. leadership in responsible mineral development.

### **H.R. 4018 (Rep. Ezell), To unleash America’s offshore critical minerals and resources.**

On April 24, 2025, President Trump signed EO 14285, “Unleashing America’s Offshore Critical Minerals and Resources,” marking a bold and strategic first step in reasserting American leadership in deep-sea mineral resource development.<sup>31</sup> The order recognizes the vast untapped mineral wealth beneath and beyond the U.S. Outer Continental Shelf (OCS) and calls for urgent federal action to map, permit, and secure access to these resources, which are essential for defense, manufacturing, energy production, and reindustrialization. EO 14285 prioritizes streamlined permitting, encourages international collaboration, and calls for countering foreign adversaries’ dominance in mineral supply chains.

H.R. 4018, sponsored by Representative Mike Ezell (R-MS-04), codifies key elements of EO 14285 that fall within the House Committee on Natural Resources’ jurisdiction. Specifically, the bill directs DOI and other federal agencies to accelerate leasing and permitting of seabed mineral projects on the OCS and to identify critical minerals recoverable from those resources. The legislation also requires a coordinated seabed mapping plan, identification of key mineral endowments, and reporting on private sector interest in offshore exploration and processing. Additionally, the bill directs federal agencies to engage with allied nations to support U.S. mineral developers operating in foreign exclusive economic zones and areas beyond national jurisdiction and requires a report on the feasibility of an international benefit-sharing mechanism for seabed mineral development in international waters.

H.R. 4018 represents a crucial step toward rebuilding America’s critical mineral independence, revitalizing domestic resource development, and securing our economic and national security interests offshore.

### **H.R. 4068 (Rep. Collins), “Streamlining NEPA for Coal Act”**

Coal provides modern energy grids with a crucial feature—reliability. Coal’s proven track record as a dependable energy resource was again demonstrated during the global energy shortage of 2021, which was exacerbated by Russia’s invasion of Ukraine in February 2022<sup>32</sup> and culminated in a surge in worldwide energy demand and prices. The energy crisis, and the economic impacts of Russia’s continued aggression in Ukraine, created a major shortage of available natural gas. This prompted the need for significant fuel-switching and an increased reliance on coal as a fuel source to help meet demand. As a result, coal use rose precipitously in Europe in 2022, as renewable energy sources like wind and solar were unable to make up for the

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<sup>30</sup> Executive Order 14241, “Immediate Measures to Increase American Mineral Production,” The White House, March 20, 2025 <https://www.whitehouse.gov/presidential-actions/2025/03/immediate-measures-to-increase-american-mineral-production/>.

<sup>31</sup> Executive Order 14285, “Unleashing America’s Offshore Critical Minerals and Resources,” The White House, Apr. 24, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/unleashing-americas-offshore-critical-minerals-and-resources/>.

<sup>32</sup> International Energy Agency, Report, “Global Energy Crisis,” <https://www.iea.org/topics/global-energy-crisis>.

lack of Russian gas following the invasion.<sup>33</sup> To prevent power shortages, several European countries even had to reopen some of their previously shuttered coal plants.<sup>34</sup> In Germany, for instance, coal provided around 10 gigawatts of power, or about one-third of the nation's energy supply, by the end of 2022.<sup>35</sup>

Coal's supreme reliability is also appreciated in other parts of the world. Serving as Asia's largest power source,<sup>36</sup> coal operates as the backbone of electricity systems for the continent's developing nations.<sup>37</sup> Additionally, the United States has the capacity to help meet demand in both the thermal coal and metallurgical coal markets. In 2022, for example, the U.S. exported 84.8 million short tons of coal, 45 percent of which were thermal coal and 55 percent of which were metallurgical coal.<sup>38</sup>

But more must be done to satisfy the planet's growing coal needs. In the U.S., categorical exclusions under NEPA allow certain classes of projects that meet certain requirements to bypass the long and often duplicative process of requiring an environmental assessment or an environmental impact statement. Accordingly, H.R. 4068, led by Representative Mike Collins (R-GA-10), aims to fully utilize categorical exclusions that can support coal production. The bill codifies a key aspect of EO 14261<sup>39</sup> by identifying current and potential categorical exclusions to expand the production and export of coal. The legislation accomplishes this by requiring the Secretary of the Interior to identify any existing and potential categorical exclusion under NEPA that could further the production and export of domestic coal. This would not only help the U.S. become more energy independent but also enable our allies to continue trading with us instead of relying on energy exports from adversarial nations.

By cutting red tape and empowering U.S. producers, H.R. 4068 strengthens American energy independence, boosts exports, and ensures that our allies can rely on the U.S. for reliable energy.

### **H.R. 4090 (Rep. Stauber), To codify certain provisions of certain Executive Orders relating to domestic mining and hardrock mineral resources, and for other purposes.**

From Day One of his second term, President Trump swiftly enacted new EOs to put the U.S. on a path toward mineral dominance. On January 20, 2025, the President signed EO 14154, "Unleashing American Energy," which directs federal agencies to revise and rescind actions that

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<sup>33</sup> International Energy Agency, Report, "Coal 2022," December 2022, <https://www.iea.org/reports/coal-2022/executive-summary>.

<sup>34</sup> *Id.*

<sup>35</sup> Josefine Fokuhl & Todd Gillespie, "Germany Revives Coal as Energy Security Trumps Climate Goals," Bloomberg, December 21, 2022, <https://www.bloomberg.com/news/articles/2022-12-22/germany-returns-to-coal-as-energy-security-trumps-climate-goals>.

<sup>36</sup> International Energy Agency, "Coal," updated October 12, 2021, <https://www.iea.org/fuels-and-technologies/coal>.

<sup>37</sup> International Energy Agency, Report, "Coal 2022," December 2022, <https://www.iea.org/reports/coal-2022/executive-summary>.

<sup>38</sup> Energy Information Administration, "U.S. coal exports remained relatively unchanged between 2021 and 2022," March 28, 2023, <https://www.eia.gov/todayinenergy/detail.php?id=55980#:~:text=In%202022%2C%2084.8%20million%20short,metallurgical%20coal%20accounted%20for%2055%25.>

<sup>39</sup> Executive Order 14261, "Unleashing America's Offshore Critical Minerals and Resources," The White House, April 8, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/>.



impose undue burdens on domestic mining and instructs the Secretary of the Interior to accelerate ongoing geologic mapping efforts.<sup>40</sup> Next, on March 20, 2025, the Trump administration issued EO 14241, “Immediate Measures to Increase Mineral Production.”<sup>41</sup> This directive further supports domestic mining by requiring federal agencies to prioritize mineral development and related activities on suitable federal lands, including land known to hold valuable deposits and reserves.<sup>42</sup> EO 14241 also directs agencies to identify and expedite priority mineral production projects “that can be immediately approved or for which permits can be immediately issued.”<sup>43</sup> Most recently, on April 15, 2025, President Trump signed EO 14272, “Ensuring National Security and Economic Resilience Through Section 232 Actions on Processed Critical Minerals and Derivative Products.”<sup>44</sup> This EO directs the Secretary of Commerce to investigate the economic and national security impacts of importing processed critical minerals and their derivative products, including by estimating the dollar value of all processed critical mineral imports.<sup>45</sup>

Sponsored by Representative Pete Stauber (R-MN-08), H.R. 4090 would codify provisions of these EOs that fall within the House Committee on Natural Resources’ jurisdiction and require new studies that support underlying mineral production and supply chain objectives identified by the Trump administration. First, the bill would order DOI to annually report on the dollar value and overall economic impact of each mineral commodity for which the U.S. is import-reliant. Next, H.R. 4090 would require the Secretary of the Interior, in consultation with the Secretary of Agriculture, to identify priority mining projects on federal lands that can be immediately approved and take all necessary and appropriate steps to expedite these projects. Additionally, this legislation would direct the Secretaries of the Interior and Agriculture to identify all federal lands in their respective jurisdictions that may be suitable for hardrock mineral, exploration, development, or production, as well as potential sites for expanded production of hardrock minerals and their byproducts.

H.R. 4090 would also address legal and regulatory bottlenecks to domestic mining. Specifically, the bill would direct DOI to revise or rescind agency actions that hinder mining projects, recommend changes to current law necessary to streamline domestic mining, and conduct a nationwide review of state and local laws or regulations that impede mineral exploration and development. Lastly, H.R. 4090 would direct DOI to accelerate geologic mapping of the U.S., with a focus on hardrock mineral deposits.

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<sup>40</sup> Executive Order, “Unleashing American Energy,” The White House, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>.

<sup>41</sup> Executive Order, “Immediate Measures to Increase American Mineral Production,” The White House, March 20, 2025 <https://www.whitehouse.gov/presidential-actions/2025/03/immediate-measures-to-increase-american-mineral-production/>.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> Executive Order 14272, “Ensuring National Security and Economic Resilience Through Section 232 Actions on Processed Critical Minerals and Derivative Products,” The White House, April 15, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/ensuring-national-security-and-economic-resilience-through-section-232-actions-on-processed-critical-minerals-and-derivative-products/>.

<sup>45</sup> *Id.*

## IV. MAJOR PROVISIONS & ANALYSIS

### H.R. 280 (Rep. Hageman), “Combating Obstruction Against Leasing Act of 2025” or the “COAL Act of 2025”

#### **Section 2. Leasing for Certain Qualified Coal Applications.**

- Expedites the leasing process on any coal lease application for which environmental review under NEPA has commenced.
- Requires the BLM to publish a draft environmental assessment, finalize the fair market value of the coal tract at hand, take all actions necessary to grant the qualified application, and then ultimately grant the qualified application for coal leases.

#### **Section 3. Future Coal Leasing.**

- Nullifies DOI’s Secretarial Order 3338.

### H.R. 1366 (Rep. Amodei), “Mining Regulatory Clarity Act of 2025”

#### **Section 2. Hardrock Mining Mill Sites.**

- Allows operators to add as many mill sites “as are reasonably necessary” for operations but limits each mill site to 5 acres.
- Clarifies that the statute does not impact existing lode or placer claims beneath new mill site claims. Also clarifies that the new language would not diminish claimants’ rights or prevent the U.S. government from regulating mining in areas withdrawn from mining.
- Creates the “Abandoned Hardrock Mine Fund” (Fund), which would support the abandoned hardrock mine reclamation program created under section 40704 of the IJIA. The Fund would obtain solvency from a claim maintenance fee on the new mill site claims created by the legislation.

### H.R. 3872 (Rep. Fallon), “Mineral Extraction for Renewable Industry and Critical Applications Act of 2025” or the “MERICA Act of 2025”

#### **Section 2. Application of Mineral Leasing Act for Acquired Lands to Hardrock Minerals.**

- Defines hardrock minerals under the Mineral Leasing Act for Acquired Lands (MLAAL)
- Lists hardrock minerals as “deposits subject to a lease” under MLAAL.

### H.R. 4018 (Rep. Ezell), To unleash America’s offshore critical minerals and resources.

#### **Section 2. Strategic Seabed Critical Mineral Access.**

- Requires the Secretary of the Interior to establish an expedited process for reviewing and approving permits for prospecting and granting leases under the Outer Continental Shelf Lands Act within 60 days of enactment. The process must support U.S. competitiveness.
- Requires the Secretary of the Interior, in consultation with the Secretaries of State and Commerce and other relevant agencies, to develop a plan within 60 days of enactment to map priority areas of the U.S. Outer Continental Shelf, including extended areas with high seabed mineral potential.

- Requires the Secretary of the Interior, within 60 days, to identify which critical minerals may be derived from seabed mineral resources and, in coordination with the Secretaries of Defense and Energy, determine which are essential for defense, energy, and manufacturing applications.
- Requires the Secretary of Commerce, in consultation with the Secretaries of State and the Interior, to expedite the review and issuance of exploration licenses and commercial recovery permits under the Deep Seabed Hard Mineral Resources Act within 60 days of enactment. The process must ensure efficiency, predictability, and competitiveness for U.S. companies.
- Requires the Secretary of Commerce, in coordination with the Secretaries of State, Interior, and Energy, to engage with key partners and allies on offshore mineral exploration, extraction, processing, and environmental monitoring. Also directs the development of a prioritized list of countries for engagement.
- The Secretary of the Interior, in consultation with the Secretaries of Commerce and Energy, must report to Congress on private sector interest in offshore seabed mineral development on the OCS, beyond national jurisdiction, and in allied countries' jurisdictions.
- The Secretaries of the Interior, State, Commerce, and Energy must jointly submit a report on the feasibility of an international benefit-sharing mechanism for mineral extraction in areas beyond national jurisdiction.

#### **H.R. 4068 (Rep. Collins), “Streamlining NEPA for Coal Act”**

##### **Section 2. Identification of Existing and Potential Categorical Exclusions Related to the Production and Export of Coal.**

- Codifies part of EO 14261, “Reinvigorating America’s Beautiful Clean Coal Industry and Amending Executive Order 14241,” by requiring the Secretary of the Interior to identify any existing and potential categorical exclusions pursuant to NEPA to further the production and export of coal.

#### **H.R. 4090 (Rep. Stauber), To codify certain provisions of certain Executive Orders relating to domestic mining and hardrock mineral resources, and for other purposes.**

##### **Section 2. Analyzing Economic Impacts of Mineral Net Import Reliance.**

- Directs the Secretary of the Interior to report on the dollar value and overall economic impact of each mineral commodity for which the U.S. is import-reliant in the U.S. Geological Survey’s annual Mineral Commodities Summaries. The first such analysis would be required within 90 days of enactment.

##### **Section 3. Priority Projects.**

- Instructs the Secretary of the Interior, in consultation with the Secretary of Agriculture, to submit to Congress a list of each mining project on federal lands for which an approval application has been submitted to DOI.

- Within 10 days of submission, directs the Secretary to identify each priority project that can be immediately approved and take all necessary and appropriate steps to expedite these projects.

#### **Section 4. Mining Potential on Federal Land.**

- Requires the Secretary of the Interior, in consultation with the Secretary of Agriculture, to submit to Congress a list of active, inactive, or proposed mining projects on Federal land that have the potential to increase production of hardrock minerals or their byproducts, expand existing operations to include hardrock mineral byproducts, or produce hardrock minerals from mine tailings.
- Orders the Secretary of the Interior to submit to Congress a list of all Federal land managed by DOI or the Secretary of Agriculture which may be suitable for hardrock exploration, development, or production.

#### **Section 5. Regulatory Review.**

- Within 90 days of enactment, directs the Secretary of the Interior, in consultation with the Secretary of Agriculture and industry stakeholders, to suspend, revise or rescind agency actions that hinder development of domestic mining projects.
- Within 180 days of enactment, requires the Secretary of the Interior, in consultation with the Secretary of Agriculture, to submit to Congress a report that includes recommendations for changes to current law necessary to streamline domestic mining and a nationwide review of State and local laws or regulations that impede mineral exploration and development.

#### **Section 6. Map Baby Map.**

- Directs the Secretary of the Interior to prioritize efforts to accelerate the ongoing, detailed geologic mapping of the United States. Also requires the Secretary to submit to Congress a report regarding the progress and estimated completion date of DOI's Earth Mapping Resources initiative within one year of enactment.

### **V. COST**

A formal cost estimate from the Congressional Budget Office (CBO) is not yet available for any of the bills.

### **VI. ADMINISTRATIVE POSITION**

The Trump administration's position is unknown at this time.

### **VII. EFFECT ON CURRENT LAW (RAMSEYER)**

[H.R. 1366](#)

[H.R. 3872](#)