

AMENDMENT TO H.R. 7688
OFFERED BY MS. HERRELL OF NEW MEXICO

Add at the end the following new section:

1 **SEC. 3. 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” has the meaning given such term in section
8 7002 of the Energy Act of 2020 (30 U.S.C. 1606).

9 (2) FEDERAL LAND.—

10 (A) IN GENERAL.—The term “Federal
11 land” means—

12 (i) National Forest System land;

13 (ii) public lands (as defined in section
14 103 of the Federal Land Policy and Man-
15 agement Act of 1976 (43 U.S.C. 1702));

16 (iii) the outer Continental Shelf (as
17 defined in section 2 of the Outer Conti-
18 nental Shelf Lands Act (43 U.S.C. 1331));

19 and

1 (iv) land managed by the Secretary of
2 Energy.

3 (B) INCLUSION.—The term “Federal
4 land” includes land described in clauses (i)
5 through (iv) of subparagraph (A) for which the
6 rights to the surface estate or subsurface estate
7 are owned by a non-Federal entity.

8 (3) PRESIDENT.—The term “President” means
9 the President or any designee, including—

10 (A) the Secretary of Agriculture;

11 (B) the Secretary of Energy; and

12 (C) the Secretary of the Interior.

13 (b) PROHIBITIONS.—

14 (1) IN GENERAL.—Notwithstanding any other
15 provision of law, the President shall not carry out
16 any action that would prohibit or substantially delay
17 the issuance of any of the following on Federal land,
18 unless such an action has been authorized by an Act
19 of Congress:

20 (A) New oil and gas leases, drill permits,
21 approvals, or authorizations.

22 (B) New coal leases, permits, approvals, or
23 authorizations.

24 (C) New hard rock leases, permits, approv-
25 als, or authorizations.

1 (D) New critical minerals leases, permits,
2 approvals, or authorizations.

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

