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

Add at the end the following new section:

SEC. 3. PROHIBITION ON MORATORIA OF NEW ENERGY

LEASES ON CERTAIN FEDERAL LAND AND ON

WITHDRAWAL OF FEDERAL LAND FROM EN-

ERGY DEVELOPMENT.

(a) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—The term “critical
mineral” has the meaning given such term in section

(2) FEDERAL LAND.—

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

(i) National Forest System land;

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

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

and
(iv) land managed by the Secretary of Energy.

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

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

(A) the Secretary of Agriculture;

(B) the Secretary of Energy; and

(C) the Secretary of the Interior.

(b) PROHIBITIONS.—

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

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

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

(C) New hard rock leases, permits, approvals, or authorizations.
(D) New critical minerals leases, permits, 
approvals, or authorizations.

(2) Prohibition on withdrawal.—Notwith-
standing any other provision of law, the President 
shall not withdraw any Federal land from forms of 
entry, appropriation, or disposal under the public 
land laws, location, entry, and patent under the min-
ing laws, or disposition under laws pertaining to 
mineral and geothermal leasing or mineral materials 
unless the withdrawal has been authorized by an Act 
of Congress.