

the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4776) to amend the National Environmental Policy Act of 1969 to clarify ambiguous provisions and facilitate a more efficient, effective, and timely environmental review process, had come to no resolution thereon.

MINING REGULATORY CLARITY ACT

Mr. WESTERMAN. Mr. Speaker, pursuant to House Resolution 951, I call up the bill (H.R. 1366) to provide for the location of multiple hardrock mining mill sites, to establish the Abandoned Hardrock Mine Fund, 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 951, the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, is adopted, and the bill, as amended, is considered read.

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

H.R. 1366

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".

SEC. 2. HARDROCK MINING MILL SITES.

(a) **MULTIPLE MILL SITES.**—Section 2337 of the Revised Statutes of the United States (30 U.S.C. 42) is amended by adding at the end the following:

"(c) **ADDITIONAL MILL SITES.**—

"(1) **DEFINITIONS.**—In this subsection:

"(A) **MILL SITE.**—The term 'mill site' means a location of public land that is reasonably necessary for waste rock or tailings disposal or other operations reasonably incident to mineral development on, or production from land included in a plan of operations.

"(B) **OPERATIONS; OPERATOR.**—The terms 'operations' and 'operator' have the meanings given those terms in section 3809.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

"(C) **PLAN OF OPERATIONS.**—The term 'plan of operations' means a plan of operations that an operator must submit and the Secretary of the Interior or the Secretary of Agriculture, as applicable, must approve before an operator may begin operations, in accordance with, as applicable—

"(i) subpart 3809 of title 43, Code of Federal Regulations (or successor regulations establishing application and approval requirements); and

"(ii) part 228 of title 36, Code of Federal Regulations (or successor regulations establishing application and approval requirements).

"(D) **PUBLIC LAND.**—The term 'public land' means land owned by the United States that is open to location under sections 2319 through 2344 of the Revised Statutes of the United States (30 U.S.C. 22 et seq.), including—

"(i) land that is mineral-in-character (as defined in section 3830.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection));

"(ii) nonmineral land (as defined in section 3830.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection)); and

"(iii) land where the mineral character has not been determined.

"(2) **IN GENERAL.**—Notwithstanding subsections (a) and (b), where public land is needed by the proprietor of a lode or placer claim for operations in connection with any lode or placer claim within the proposed plan of operations, the proprietor may—

"(A) locate and include within the plan of operations as many mill site claims under this subsection as are reasonably necessary for its operations; and

"(B) use or occupy public land in accordance with an approved plan of operations.

"(3) **MILL SITES CONVEY NO MINERAL RIGHTS.**—A mill site under this subsection does not convey mineral rights to the locator.

"(4) **SIZE OF MILL SITES.**—A location of a single mill site under this subsection shall not exceed 5 acres.

"(5) **MILL SITE AND LODE OR PLACER CLAIMS ON SAME TRACTS OF PUBLIC LAND.**—A mill site may be located under this subsection on a tract of public land on which the claimant or operator maintains a previously located lode or placer claim.

"(6) **EFFECT ON MINING CLAIMS.**—The location of a mill site under this subsection shall not affect the validity of any lode or placer claim, or any rights associated with such a claim.

"(7) **PATENTING.**—A mill site under this section shall not be eligible for patenting.

"(8) **SAVINGS PROVISIONS.**—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 land that is not open to location under the general mining laws;

"(C) modifies any provision of law or any prior administrative action withdrawing land 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;

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

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

"(vii) section 4 of the Act of July 23, 1955 (commonly known as the 'Surface Resources Act of 1955') (69 Stat. 368, chapter 375; 30 U.S.C. 612);

"(E) restores any right (including a right of entry, use, or occupancy, or right to conduct operations) of a claimant that—

"(i) existed prior to the date on which the land was closed to, or withdrawn from, location under the general mining laws; and

"(ii) that has been extinguished by such closure or withdrawal; or

"(F) modifies section 404 of division E of the Consolidated Appropriations Act, 2024 (Public Law 118-42)."

(b) **ABANDONED HARDROCK MINE FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a separate account, to be known as the "Abandoned Hardrock Mine Fund" (referred to in this subsection as the "Fund").

(2) **SOURCE OF DEPOSITS.**—Any amounts collected by the Secretary of the Interior pursuant to the claim maintenance fee under section 10101(a)(1) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)(1)) on mill sites located under subsection (c) of section 2337

of the Revised Statutes of the United States (30 U.S.C. 42) shall be deposited into the Fund.

(3) **USE.**—The Secretary of the Interior may make expenditures from amounts available in the Fund, without further appropriations, only to carry out section 40704 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245).

(4) **ALLOCATION OF FUNDS.**—Amounts made available under paragraph (3)—

(A) shall be allocated in accordance with section 40704(e)(1) of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245(e)(1)); and

(B) may be transferred in accordance with section 40704(e)(2) of that Act (30 U.S.C. 1245(e)(2)).

(c) **CLERICAL AMENDMENTS.**—Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended—

(1) by striking "the Mining Law of 1872 (30 U.S.C. 28-28e)" each place it appears and inserting "sections 2319 through 2344 of the Revised Statutes of the United States (30 U.S.C. 22 et seq.)";

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking "Such claim maintenance fee" and inserting the following:

"(B) **FEE.**—The claim maintenance fee under subparagraph (A)"; and

(ii) in the first sentence, by striking "The holder of" and inserting the following:

"(A) **IN GENERAL.**—The holder of"; and

(B) in paragraph (2)—

(i) in the second sentence, by striking "Such claim maintenance fee" and inserting the following:

"(B) **FEE.**—The claim maintenance fee under subparagraph (A)"; and

(ii) in the first sentence, by striking "The holder of" and inserting the following:

"(A) **IN GENERAL.**—The holder of"; and

(3) in subsection (b)—

(A) in the second sentence, by striking "The location fee" and inserting the following:

"(2) **FEE.**—The location fee"; and

(B) in the first sentence, by striking "The claim maintenance fee" and inserting the following:

"(1) **IN GENERAL.**—The claim maintenance fee".

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 gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. WESTERMAN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1366.

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. 1366, to restore clarity and stability to mining operations and support reclamation of abandoned hardrock mine land.

First, I thank my colleague from Nevada, Representative AMODEI, for his work on this bipartisan legislation.

In 2022, the Ninth Circuit Court of Appeals revoked an approved mine plan of operations for the Rosemont Copper Mine in Arizona. The ruling, known as the Rosemont decision, limited the Forest Service's ability to approve support activities necessary for conducting mining operations on Federal land. This decision upended over 40 years of regulatory and legal precedent.

Before developing a mine on Federal lands, an operator must obtain a mine plan of operations from the Forest Service or the Bureau of Land Management. This plan must detail the intended uses of the surface of the mining claim, including waste rock placement, mills, offices, and roads.

Under the Rosemont decision, however, operators must prove the existence of a commercially developable deposit on a claim before a plan of operations can be approved. This obvious problem is that the economic viability of a site cannot be determined until after the mine plan of operations is approved by the Federal Government.

The ramifications of the Ninth Circuit's decision are substantial. Although the Rosemont decision involved Forest Service lands, it has prompted multiple lawsuits targeting projects on BLM lands based on similar regulations.

If allowed to stand, the Rosemont decision will thwart hardrock mining projects across Federal lands, further jeopardizing domestic mineral supply chains, energy security, and national security.

Mr. AMODEI's bill provides needed regulatory clarity by creating a new category of mill sites for activities ancillary to mining that operators can include within the boundaries of an approved plan of operations.

The legislation also creates an abandoned hardrock mine fund to support the reclamation program by using claim maintenance fees to inventory, assess, and remediate abandoned hardrock mines.

Simply put, our reliance on foreign critical minerals is one of the greatest strategic vulnerabilities facing our Nation today. America has been truly blessed with vast natural resources. This bill would create the regulatory clarity and stability that companies need to attract investment and responsibly develop these resources.

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

Again, I applaud my colleague Mr. AMODEI for this commonsense but urgently needed bill.

Mr. Chairman, I ask my colleagues to join me in supporting this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I remind everyone that we are at the end of this year. We are running out of time to fix the

healthcare crisis that Republicans have created. Christmas break is right around the corner, and hardworking Americans are struggling. They are being crushed under the weight of rising costs.

What do our Republican friends have us voting on?

The next bill that we have up today, H.R. 1366, the so-called Mining Regulatory Clarity Act, is just a gift for folks who really ought to be on the naughty list this time of year: foreign mining companies.

I strongly oppose this bill.

According to its sponsors, it is a legislative fix to the Rosemont court decision, a court case that determined that a mining company was not allowed to dump its toxic mine waste on public lands based on an invalid mining claim.

You see, Mr. Speaker, for years, mining companies were allowed to dump their waste wherever they wanted without paying fair market value for that land, without public land managers having any real option to say no regardless of which precious public lands might be destroyed forever.

However, in the Rosemont decision, the court held that under current law, a mining claim is only valid when it actually contains valuable minerals. That makes sense. That is common sense, if we want some common sense.

However, the mining industry didn't like that. They were not happy that they could no longer dump their toxic waste on phony, invalid claims anymore.

So here we are today passing a so-called fix for the industry.

□ 1110

Now, let's remember that enormous benefit is stacked on another one: Mining companies don't pay back the American people a cent in royalties for the minerals that belong to the people of the United States. The antiquated Mining Act of 1872 essentially gives away America's valuable mineral resources for free, often to foreign-owned mining companies, even companies controlled by our adversaries.

Even so, the industry calls the Rosemont decision an existential threat. Give me a break.

You know what happened to the Rosemont mine after that court decision came down? The next day, the company paid for private lands for its waste disposal. The mine wasn't stopped. It is just the industry would prefer to use the public lands, your lands, and to be able to dump for free.

Industry argues that this bill would provide certainty and clarity for mining and exploration. In practice, this fix would just allow mining companies to use a different type of claim called a mill site for unlimited mine-waste dumping. They could use it for pipelines and processing whatever else they would like, again at cut-rate prices.

For the record, I have found no evidence that any mines are currently

being held up because of the Rosemont decision anywhere in America. This is a solution in search of a problem.

Time and time again, Democrats have raised legitimate concerns with this legislation, and we have offered good-faith amendments to address those concerns.

I offered an amendment to strike the broad definition of operations in the bill, which effectively means that mining operations don't need a mining claim at all.

Representative LEE from Nevada offered an amendment to clarify that mining companies should only use the public lands that are actually necessary for their operations, and to make clear that nothing in the bill limits the rights to regulate mining and related activities on Federal lands.

Representative LEGER FERNANDEZ offered an amendment to exempt companies that are owned and controlled by our adversaries from these incredible benefits under this bill.

All of these amendments were very straightforward. None of the issues raised should be a surprise to the majority. They have had time to work with us, but they chose not to. They rejected all of these amendments. I guess they would rather let foreign mining companies controlled by our adversaries pillage our public lands for cheap or even for free. Noted.

Again, I strongly oppose this legislation and reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. STAUBER) the subcommittee chair on Energy and Mineral Resources of the Natural Resources Committee.

Mr. STAUBER. Mr. Speaker, I rise in strong support of H.R. 1366, the bipartisan, bicameral Mining Regulatory Clarity Act, offered by the gentleman from Nevada (Mr. AMODEI), my good friend.

The bill before us is simple. It restores longstanding interpretation of agency regulations governing hardrock mining policy on Federal lands that were upended by the courts in May of 2022 in what is known as the Rosemont decision.

At the time, the U.S. Court of Appeals for the Ninth Circuit issued a decision that upended decades of settled law when it affirmed a lower court decision revoking an approved mine plan for the Rosemont Copper mining project. The decision limited the ability of the Forest Service to approve necessary mining support facilities and activity, known as ancillary uses, which are necessary to conduct mining operations. This decision from the Ninth Circuit puts virtually every new domestic mining project on Federal lands in jeopardy.

This decision from the Ninth Circuit puts us at odds with what we need to succeed in a 21st century economy.

Based on anticipated increases in demand for metals and minerals for everything from energy and infrastructure to manufacturing and national security needs, we require new domestic mining operations to provide essential mineral supply chains.

During the previous administration, the Department of the Interior issued an opinion that provided a temporary fix known as the Rosemont fix. This provides a path forward for mining projects, but it can be reversed with the stroke of a pen.

Domestic mining projects are multi-decade investments. Mining companies that invest hundreds of millions of dollars in a project require regulatory certainty and clarity.

Mr. Speaker, considering this, why would a mining company invest here in the United States without this certainty that they will actually be able to develop a project? That is why the bicameral, bipartisan Mining Regulatory Clarity Act is necessary. The only way to fix the 2022 court decision is to codify the fix in law.

This legislation, contrary to what some of my colleagues will argue, doesn't create new domestic mining policy. It simply builds regulatory certainty and reinstates the longstanding interpretation of the mining law and the agency regulations that were law of the land before being misinterpreted by the courts.

Mr. Speaker, if we can't mine these minerals domestically thanks in part to the Rosemont decision blocking new domestic mines, where do the opponents of this bipartisan bill expect needed minerals to come from? The only answer I can think of is from China.

Continued lack of clarity resulting from the court's decision is not a benefit to the American people, but a benefit to the Chinese Communist Party. The answer is clear: You can either support domestic mining with the strictest environmental and labor standards here in the United States of America or you can continue to export your environmental guilt and support importing minerals from countries that have zero environmental standards and utilize child and forced slave labor to mine these minerals.

Mr. Speaker, I urge my colleagues to support the bill. When we talk about domestic mining, we are richly blessed. The good Lord has blessed this country with the natural resources that we need for our everyday lives. I want American industry, American workers, and American communities to be able to mine these minerals that we are richly blessed with.

I do not want another Biden administration supporting memorandums of understanding with Third World countries to get these minerals and then import them to the United States so we can put them in our technology, our vehicles, our phones, our cell phones, our computers, our medical instruments that we manufacture.

I would much rather mine these critical minerals here under our environmental and our labor standards. We can lead the world. By the way, Mr. Speaker, we also need to process these here in the United States. That is why our permitting reform is so important. This could be a win-win.

As long as we don't mine here, as long as we put up every single roadblock, my colleagues on the other side of the aisle are happy. They will sit in this House of Representatives and say, "We support mining" so long as it never happens, so long as the bureaucratic nightmare, the "blue tape" continues where we can't mine here.

Enough is enough. The American people have seen enough, and we are going to mine not only in Minnesota, but we are going to mine in North Dakota, South Dakota, Montana, Wyoming, Nevada, California, Arizona, and Washington. We are going to mine in Pennsylvania. We are going to mine in Texas. We have to do it.

Mr. Speaker, I support this amendment.

Mr. WESTERMAN. Mr. Speaker, I have no further requests for speakers. I am prepared to close and reserve the balance of my time.

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

Mr. Speaker, I thank my friend from Minnesota for listing all of those States and places because it is important for the American people to know that if this becomes law, a free toxic dump site on your public lands is on its way in all of those places. That is what this is about.

One of the cynical euphemisms we keep hearing is "regulatory certainty," so let's talk about what that really means.

Mining permitting has continued after the Rosemont decision. The Rosemont mine itself proceeded. It wasn't impacted. There is no legislative fix needed to this fake problem. This bill would codify only the most industry-friendly interpretations of the mining law and introduce additional uncertainty around the government's ability to enact basic commonsense regulations on mining on public lands.

To expand on that, the bill's current definition says that mining operations include: "All functions, work, facilities, and activities in connection with the prospecting, development, extraction, and processing of mineral deposits and all uses reasonably incident thereto, including the construction and maintenance of means of access, whether the operations take place on or off the claim."

This is sweeping. Effectively, this means that mining operations don't need a mining claim at all to conduct operations on your public lands. While this definition is currently in regulation, the Interior Department, and the leading public land law treatise have found that offsite mining activities do not currently get the same rights and priority use as mining claims. That is what is at stake in this legislation.

□ 1120

Permanently codifying this into law would further put mining over other uses of our public lands, doing an end run around the multiple-use balancing requirements that are foundational to public land management.

While our land managers have limited discretion right now to deny a mine on public lands, they do at least have some authority over their roads, pipelines, and toxic waste dumping. That would all be taken away by this legislation.

This is not regulatory clarity. It is regulatory charity to an industry that has already gotten 150 years of giveaways.

Mr. Chair, I urge my colleagues to vote "no," and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, I include in the RECORD a letter of opposition from 189 organizations, Tribes, companies, and local elected officials.

DECEMBER 17, 2025.

DEAR MEMBER OF CONGRESS: THE 189 UNDERSIGNED ORGANIZATIONS, TRIBES, COMPANIES AND ELECTED OFFICIALS ARE WRITING ON BEHALF OF OUR MILLIONS OF MEMBERS AND SUPPORTERS TO EXPRESS OUR STRONG OPPOSITION TO H.R. 1366, THE MINING REGULATORY CLARITY ACT (MRCA). THE LEGISLATION INCLUDES SWEEPING PROVISIONS THAT WOULD WEAKEN THE ALREADY OUTDATED 1872 MINING LAW AND GIVE EVEN MORE CONTROL OVER OUR PUBLIC LANDS TO THE MINING INDUSTRY. WE ASK YOU TO OPPOSE THE MINING REGULATORY CLARITY ACT.

Most mining in the United States is governed under a 150-year-old, extremely permissive law enacted when Ulysses S. Grant was president. The law disempowers frontline communities, has no environmental guardrails, and doesn't require mining companies to pay a royalty on the billions of dollars of publicly owned minerals they extract. This law governs mining on public lands that are currently being dismantled by the administration and their Congressional allies with active threats to sell off millions of acres of our lands, roll back protections such as National Monuments and mineral withdrawals in secret, and firing thousands of workers whose jobs are essential for the future existence of our public lands. Additionally, recent executive orders were signed invoking emergency powers to increase domestic mining and processing of minerals, including those by foreign owned mining companies. They cover not just critical minerals, but others like gold. The executive order explicitly calls for agencies to prioritize mining above all other uses of public lands, and aims to provide funding and loans for mining projects, as well as accelerate permitting processes under the guise of the Defense Production Act. If you combine the antiquated mining law, the recent EO's, and the administration's efforts to dismantle our public lands, along with the now unpredictable compliance with the National Environmental Policy Act (NEPA) (due to President Trump's executive actions) communities are now more at risk from mining harms than they were even 10 years ago.

History already paints a clear picture of the risks posed by irresponsible, deregulated mining for critical resources across the country. The EPA estimates that 40% of headwaters and 50% of lakes have been contaminated by hardrock mines, decimating

watersheds and the communities that depend on them for freshwater, including drinking water. Recent research reveals that the vast majority of critical mineral resources in the United States are located within 35 miles of Native American reservations. As demand for hardrock minerals grows domestically and globally, it is critical that we ensure mining laws and standards protect communities and the environment while strengthening and securing our supply chains. Unfortunately, the MRCA would take us backward, not forward, and create more conflict over mines, not less.

First, the MRCA would allow mining companies to claim indefinite numbers of millsites on public land, without meaningful limitations, where multinational mining companies can permanently dump toxic waste and construct infrastructure like pipelines and roads. These millsites could block public lands from being used for more suitable purposes, such as renewable energy projects, watershed protection, cultural resource access, and recreation. This provision would remove any effective limits on millsites and eliminate the requirement that such claims be located only on non-mineral land, a key feature that prevents lands with valuable minerals from being buried under waste or made inaccessible.

Second, several additional provisions contained within MRCA would weaken, if not negate, over a century of precedent that has limited the amount of damage to public land caused by our permissive mining law. According to current law, operators must first prove that there are in fact valuable minerals on a mining claim before they gain the right to conduct large-scale operations on those claims. Additionally, operators cannot conduct operations outside of their claims without obtaining further permits. MRCA could render these requirements meaningless by codifying a regulation that defines all activities related to mining under the term “operations,” even if they are not directly on a mining claim. This could allow mining companies to build pipelines, roads, and powerlines and conduct other activities across public lands without ever having to get a permit for them.

The MRCA does not contain any meaningful limits to prevent abuses of the millsite provision. It states that mining companies may use public lands in accordance with an approved plan of operations. But that is of little assistance given the bill grants mining companies an unlimited, statutory right to use those lands—a right that cannot be denied in a mining plan of operations. The offered protections are thus no protections against the giveaway of public lands.

Finally, MRCA includes a savings clause that states mining companies still have to prove that there are valuable mineral deposits on claims within lands that have been withdrawn from mining. However, the exclusion of similar language for claims on unwithdrawn lands could be read by a court to imply that Congress intended to eliminate the requirement for such checks on unwithdrawn lands, which make up the vast majority of public lands. Altogether, these sections essentially give mining companies a nearly unlimited right to dump waste across an indefinite number of acres of public lands under the proposed millsites provision.

This bill’s provisions will have a devastating impact on frontline communities, cultural resources, and sensitive ecosystems. Instead of passing this legislation, Congress should enact true reforms to our mining laws such as those identified by the 2023 Interagency Working Group on Mining Laws, Regulations, and Permitting, especially those that would close loopholes for foreign companies, improve environmental standards,

and create competitive leasing to balance the nation’s clean energy mineral needs with other public land uses. We urge you to oppose the passage of S. 544 & H.R. 1366, whether as a standalone bill or as a part of a larger legislative package.

Sincerely,

1000 Grandmothers for Future Generations, 350 Bay Area Action, 350 Hawaii, A2 (Anthropocene Alliance), Access to Thrive, Alaska Clean Water Advocacy, Alaska Community Action on Toxics, Alaska Longline Fishermen’s Association, Alaska Wilderness League, Alliance for the Wild Rockies, Amigos Bravos New Mexico, Appalachian Citizens’ Law Center, Arizona Faith Network, Arizona Mining Reform Coalition, Arizona Trail Association, Arizonans for Community Choice, Basin and Range Watch, Becky Daggett, Mayor of Flagstaff, AZ (as an individual, Biofuelwatch, Bitterrooters for Planning.

Black Hills Clean Water Alliance, Black Hills Preservation Project, Bold Visions Conservation, Borderlands Restoration Network, Cabinet Resource Group, California Environmental Voters, Californians for Western Wilderness, CalWild, Cascade Forest Conservancy, Cascadia Wildlands, CDT Preservation Alliance, Center for Biological Diversity, Chilkat Indian Village, Circle Z ranch, Citizens for a Safe & Clean Lake Superior, Citizens to Protect Smith Valley (NV), Climate and Community Institute, Climate Justice Alliance, Coalition for Sonoran Desert Protection, Colorado Citizens Against ToxicWaste Inc, Concerned Citizens Retired Miners Coalition.

Conservation Northwest, Conservatives for Responsible Stewardship, Continental Divide Trail Coalition, Corona de Tucson Preservation Alliance, Day One, Deer Tail Scientific, Defenders of Wildlife, Earthjustice Action, Earthworks, EcoFlight, Emily Mine Information Group, Environmental Protection Information Center—EPIC, Esker Cycles, Friends of Santa Cruz River, Friends of Sonoita Creek, Friends of the Amargosa Basin, Friends of the Bitterroot, Friends of the Clearwater, Friends of the Inyo, Friends of the Kalmiopsis.

Friends of Santa Cruz River, Friends of the Sonoran Desert, Gallatin Wildlife Association, Gila Resources Information Project, Global Witness, Grand Canyon Trust, Grand Staircase Escalante Partners, Great Basin Resource Watch, Great Basin Water Network, Great Old Broads for Wilderness, GreenLatinos, High Country Conservation Advocates, Idaho Conservation League, Idaho Rivers United, Imperial Valley Equity and Justice, Inclusive Development International, Indigenous Environmental Network, Information Network for Responsible Mining, Investor Advocates for Social Justice.

Izaak Walton League Rapid City SD Chapter, Jeff and Karen Ives, Kalmiopsis Audubon Society, Kalmiopsis Guides Association, Kettle Range Conservation Group, Klamath Forest Alliance, Klamath-Siskiyou Wildlands Center, League of Conservation Voters, Living Desert Alliance, Living Rivers & Colorado Riverkeeper, LNE Engineering and Policy, Local Environmental Action Demanded (LEAD) Agency, Inc., Los Padres ForestWatch, Lower San Pedro Watershed Alliance, Lynn Canal Conservation, Madrean Archipelago Wildlife Center, Malach Consulting, Maricopa Audubon Society, Menonite Central Committee U.S., Mining Impact Coalition of Wisconsin.

MiningWatch Canada, Montana Chapter Sierra Club, Montana Environmental Information Center, Mount Shasta Bioregional Ecology Center, Multicultural Alliance for a Safe Environment, Native American Land Conservancy, Native Village of Fort Yukon,

Natural Resources Defense Council, Nature For All, NETWORK Lobby for Catholic Social Justice, Nevada Conservation League, New Mexico & El Paso Interfaith Power and Light, New Mexico Environmental Law Center, Next 100 Coalition, Nicole Palese PLLC, Noowuh Knowledge Center, North Carolina League of Conservation Voters, Northeastern Minnesotans for Wilderness, Northern Alaska Environmental Center, Norton Bay Watershed Council.

Oregon Natural Desert Association, Oregon Wild, Our Roots Multi-Cultural Center, Partnership for Policy Integrity, Patagonia Area Resource Alliance, Patagonia, Inc., Pipe Line Awareness Network for the Northeast, Prairie Hills Audubon Society (of Western SD), Progressive Leadership Alliance of Nevada, Protect Thacker Pass, Protect the Kobuk, Public Citizen, Rachel Carson Council, Responsible Jewelry Transformative, River Alliance of Wisconsin, Rivers Without Borders, Rock Creek Alliance, Rural Arizona Engagement, San Juan Citizens Alliance, San Luis Valley Ecosystem Council.

San Pedro 100, San Xavier District of the Tohono O’odham Nation, Save Lake Superior Association, Save Our Cabinets, Save Our Sky Blue Waters, Save Our St. Vrain Valley, Inc., Save the Scenic Santa Ritas, Save the South Fork Salmon, Sheep Mountain Alliance, Sierra Club, Sierra Protection Action Network, Sisters of Mercy of the Americas Justice Team, Sky Island Alliance, Smith River Alliance, Soda Mountain Wilderness Council, Southeast Alaska Conservation Council, Southeast Alaska Indigenous Transboundary Commission, Southern Utah Wilderness Alliance, Southwest Research and Information Center (SRIC), SPAN.

Sustainable Ocean Alliance, Sustainable Tucson, The Becoming Project INC, The Calabasas Alliance, The Healthy Environment Alliance of Utah, The Native Village of Dot Lake, The Ocean Project, The Wilderness Society, Tri-Valley CAREs, Tucson Bird Alliance (formerly Tucson Audubon), Turtle Island Restoration Network, Universidad Popular, Upper Peninsula Environmental Coalition, Uranium Watch, Washington Wild, Water Legacy, Weber Sustainability Consulting, West Berkeley Alliance for Clean Air and Safe Jobs, Western Shoshone Defense Project, Western Shoshone Nation.

Western Watersheds Project, Wild Arizona, Wild Connections, Wild Hope, Wild Horse Education, WildEarth Guardians, Wildlands Defense, Wildlife for All, Yellow Dog Watershed Preserve.

Mr. HUFFMAN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, the signers of this letter express their strong opposition to this bill. Specifically, they argue that it would weaken the already outdated 1872 mining law and give the mining industry even more control over our public lands.

They note that mining in the United States is already governed under a law that is 150 years old, enacted under President Ulysses S. Grant.

These organizations, Tribes, and leaders remind us that the 1872 law has no environmental guardrails, that the mining industry is already the only industry that doesn’t have to pay any royalty when it extracts our minerals on public lands, and that 40 percent of headwaters and 50 percent of lakes have been polluted by mining activity.

They also raise specific concerns within the Mining Regulatory Clarity Act.

First, the bill would allow multinational companies to claim an indefinite number of mill sites to permanently dump toxic waste on our public lands for free.

Second, it could block renewable energy development, recreation, and other uses of our public lands by allowing mining companies to build roads, pipelines, and other infrastructure by right and without any permits, as long as they are connected to a plan of operation.

Finally, the bill could be read to eliminate the requirement that mining companies prove that there are even some valuable minerals to validate their claims on the vast majority of our public lands.

The letter urges us to enact real reforms to the 1872 mining law that would improve environmental safeguards for communities and ecosystems impacted by mining, give Federal land managers a say in deciding where mining is and is not appropriate, and close loopholes that allow foreign companies to exploit our public lands.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ), who has shown great leadership on this seemingly commonsense need to put some guardrails in place to make sure that foreign-owned mining companies, including those owned and controlled by our adversaries, don't have the benefit of all these lavish giveaways.

Ms. LEGER FERNANDEZ. Mr. Speaker, mining corporations, including foreign-owned, pay nothing in royalties when they take our publicly owned minerals on our Federal lands.

The American people get nada, zero, for our copper, gold, or critical minerals.

H.R. 1366, the Mining Regulatory Clarity Act, is yet another giveaway to big mining companies by making it easier for them to dump their waste on more of our public lands.

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 amendment to prevent mining projects from qualifying for the expanded public lands access if the project is owned or operated by a foreign entity of concern like China or one of its subsidiaries.

Why should we let the Chinese Communist Party take advantage of the copper, gold, and critical minerals on our Federal lands? Chairman MOOLENAAR of the Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party offered a similar amendment to the Rules Committee last Congress on the same bill. Republicans refused to make it in order.

I don't know why Republicans are afraid to limit China's access to America's critical minerals.

If we are not going to make international mining companies pay for our precious minerals that they take from us, the least we could do is stop foreign adversaries, like China, from dumping mine waste on our public land. We

should not treat our public land like a big trash pile available to international mining corporations.

Republicans should focus on making life more affordable for Americans, not giving away more land, and not making those big international companies even richer. They should focus on bringing down costs for Americans, not giving a big giveaway to the big corporations.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD immediately prior to the vote on 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. LEGER FERNANDEZ. Mr. Speaker, I hope my colleagues will join me in voting for the motion to recommit and stop letting China and its adversaries use our public lands like their big trash dump.

Mr. HUFFMAN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill is another unnecessary giveaway to the mining industry. It lets literally anyone, including foreign mining companies controlled by our adversaries, claim as much of our Nation's public land as they want for next to nothing, extract our publicly owned minerals without paying a cent in royalties back to the American people, and then permanently bury our public lands in toxic mining waste.

Our mining laws need reform. They don't need this.

With bipartisan interest in securing our critical mineral supply chain, we actually have an opportunity to create modern mineral policies that would empower American innovators to recover the minerals we need while honoring indigenous sovereignty, protecting the environment, and making sure American workers and communities share in the benefits, as well as the American taxpayers. Instead, the majority is doubling down on the extraction above all land grab from the gold rush back when we codified this 1872 mining law.

They refuse to engage with Democrats to include even commonsense safeguards against letting foreign adversaries take our public minerals for free. They refuse to limit the industry's waste dump mill sites to only the public lands necessary for their operations. Ominously, they refuse to clarify that this bill does not affect the Federal Government's ability to regulate mining on public lands, which the unnecessary Savings Clause in this bill calls into question.

It bears repeating that the mining industry already has a sweetheart deal on our public lands. We are the only industrialized Nation that lets anyone claim whatever they want on public lands and extract public minerals for free.

This bill is no minor technical fix to overturn a court decision. It is a massive giveaway of public lands to an industry afraid that one of those many

giveaways that they have had for all of this time was about to be challenged.

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

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

Mr. Speaker, let's talk about some of the issues that were just brought up.

First, the foreign entity of concern restrictions, I agree, and I think everybody would agree, that we should scrutinize foreign direct investment to ensure that it does not pose a threat to the United States.

We have programs to do that, programs that possibly should be strengthened. However, imposing arbitrary standards could prevent publicly traded, non-Chinese companies from mining domestically. Doing what? Forcing a continued reliance on China.

We all know that China is already doing whatever it can to prevent us from building out secure domestic supplies of critical minerals. The CCP has repeatedly used its dominant market position to strategically flood markets and make U.S. projects uneconomic.

□ 1130

Mr. Speaker, when they see a project announced in the United States, they dump product on the global market, lowering the prices and making our mining operations uneconomical to investors.

If we create an arbitrary standard, they will continue to play even more dirty. The CCP will simply buy shares of publicly traded companies to disqualify the companies from mining on Federal lands. We are being naive if we think that China won't use any tool and loophole at their disposal to stop mining in the U.S. In any event, this bill is about regulatory certainty so that we can start mining again in America.

I have already mentioned this, but we are blessed with resources here in America. A lot of those resources are on Federal lands. This issue has come up about royalties. It continually comes up. People say this bill would allow mining companies to extract valuable public assets without paying any royalties to Americans.

I want to remind everybody of something. U.S. mining companies already pay between 40 and 50 percent of earnings in Federal, State, and local taxes, as well as other fees. These taxes are vital to funding school systems, roads, and other infrastructure projects, especially in rural communities.

Now, thanks to the Rosemont decision, on top of paying those taxes, companies must pay millions more in litigation. The developers would be required to pay fees for any mill sites established under this bill. These fees would go toward remediating abandoned hardrock mine lands, something my Democrat colleagues have repeatedly pushed for.

If we want to encourage investment in safe, responsible, and cutting-edge mining practices that provide billions to the public's coffers and essential materials to the American people, we need to support H.R. 1366.

Mr. Speaker, I also want to call attention to a letter we received, signed by 28 organizations from A to Z. It is literally from A to Z. Starting with A, the Alaska Miners Association, American Exploration and Mining Association, Bipartisan Policy Center Action, Battery Materials and Technology Coalition, Colorado Mining Association, National Mining Association, U.S. Chamber of Commerce, Women's Mining Coalition, Wyoming Mining Association, and I will round it out with Z, the Zero Emission Transportation Association.

These organizations stress the importance of Congress enacting this bipartisan legislation. They stated: This legislation will ensure the U.S. can utilize its vast domestic resources to build essential mineral supply chains. Your efforts to enhance mineral supply chain security, while upholding our leading safety and environmental standards, are crucial. The passage of H.R. 1366 will support the trajectory of innovation in the U.S. and maintain the Nation's economic leadership.

Mr. Speaker, this bill is common sense, supporting American industries that are working to bolster our domestic mineral supplies.

I also want to draw attention to a letter we received from Nevada democratic Governor Joe Lombardo in support of the Mining Regulatory Clarity Act. His letter states: Advancement of this bipartisan, bicameral legislation is indispensable to the long-term economic resilience of our rural communities and Nevada's ability to help achieve domestic mineral security.

Again, this bill is common sense. It is bipartisan, and it bicameral. It supports a key industry for States like Nevada. It should be strongly bipartisan.

Mr. Speaker, when we look at the abundant minerals that we are blessed with across the United States, I think of the claim that our colleague from Alaska (Mr. BEGICH) also says. He talked about the Ambler Road district. Of 50 things listed on the U.S. List of Critical Minerals, he says in the Ambler Mining District, 49 of those exist in abundant capacity to develop, process, and mine. Yet, we are yet to be able to get a road into this area to process these materials.

When I look at my home State of Arkansas, we have the largest deposit of lithium possibly in the world. At least 15 percent of the world's lithium is in brine water on public land in the great State of Arkansas.

We have all these minerals available all across the country. According to the "2025 Mineral Commodity Summary" from the U.S. Geological Survey, the U.S. is 100 percent dependent on imports for 14 critical minerals, many from China and Russia.

Mr. Speaker, I have met with the Navaho Nation. They have abundant deposits of uranium they could recover from former mining operations. We are so dependent on uranium imports. The last number I saw, we produced only one-half of 1 percent of the uranium we use for fuel in U.S. reactors. Do my colleagues know where most of that comes from? It comes from Russia and Kazakhstan. These are the kinds of minerals we are dependent on foreign actors for.

If my colleagues support growing our domestic supplies of critical minerals, this bill provides the regulatory certainty necessary to strengthen domestic mineral supply chains. If my colleagues support weakening China's global control over minerals, join us in voting for the Mining Regulatory Clarity Act.

Let's talk a little bit more about China. We need not only more mining here in America, but we need to do more processing and refining in the U.S. to meet our energy infrastructure and national security and defense needs. The Mining Regulatory Clarity Act will help strengthen domestic mineral supply chains.

I have a chart here that shows where we are at with China on rare earth and their monopoly. They control 70 percent of the mining in the world. It is not in China. It is all over the world.

My colleague mentioned child slave labor being used to extract cobalt in Africa. It is atrocious where they go and mine these materials and the lack of standards that they have. The environmental, human health, human safety, and human rights that are violated in the mining is also appalling.

They take that back to China, and they process 90 percent of it in China. This is all of the world's critical minerals. Then they manufacture 93 percent of the things that are manufactured with critical minerals.

If my colleagues want to help China maintain their stranglehold over our critical mineral supply chains, we should oppose this bill. Look no further than the chart behind me. We will see we can't continue to allow China to have the monopoly and the stranglehold on our economy and on our defense that they currently have through the critical mineral supply chain.

Mr. Speaker, I encourage my colleagues to support this bill. I appreciate my colleague from Nevada (Mr. AMODEI) for bringing it to the floor.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 951, 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 moves to recommit the bill H.R. 1366 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. 1366 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. EXCEPTION.

(a) IN GENERAL.—This Act and the amendments made by this Act do not apply with respect to a project that is owned or operated by—

- (1) a foreign entity of concern; or
- (2) an entity that is a subsidiary of a foreign entity of concern.

(b) DEFINITIONS.—In this section:

(1) COVERED NATION.—The term "covered nation" has the meaning given the term in section 4872(f) of title 10, United States Code.

(2) FOREIGN ENTITY OF CONCERN.—

(A) IN GENERAL.—The term "foreign entity of concern" has the meaning given the term in section 40207(a)(5) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)(5)).

(B) CLARIFICATION.—For purposes of this section, a foreign entity of concern is subject to the jurisdiction or direction of a government of a foreign country that is a covered nation within the meaning of section 40207(a)(5)(C) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)(5)(C)) if the foreign entity of concern is more than 10 percent owned, directed, controlled, or financed, directly or indirectly, individually or in aggregate, by any individual that is the citizen, national, or permanent resident, or is an entity subject to the jurisdiction, of the government of a covered 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.

□ 1140

PET AND LIVESTOCK PROTECTION ACT

Mr. WESTERMAN. Mr. Speaker, pursuant to House Resolution 951, I call up the bill (H.R. 845) to require the Secretary of the Interior to reissue regulations removing the gray wolf from the list of endangered and threatened wildlife under the Endangered Species Act of 1973, 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 951, the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed