

116TH CONGRESS  
1ST SESSION

# S. RES. 411

Affirming that States maintain primacy for the regulation of hydraulic fracturing for oil and natural gas production on State and private lands, that the President has no authority to declare a moratorium on the use of hydraulic fracturing on State and private lands, and that the President should not attempt to declare a moratorium on the use of hydraulic fracturing on Federal lands (including the Outer Continental Shelf) or lands held in trust for an Indian Tribe, unless the moratorium is authorized by an Act of Congress.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 2019

Mr. TOOMEY (for himself and Mr. BARRASSO) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources

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## RESOLUTION

Affirming that States maintain primacy for the regulation of hydraulic fracturing for oil and natural gas production on State and private lands, that the President has no authority to declare a moratorium on the use of hydraulic fracturing on State and private lands, and that the President should not attempt to declare a moratorium on the use of hydraulic fracturing on Federal lands (including the Outer Continental Shelf) or lands held in trust for an Indian Tribe, unless the moratorium is authorized by an Act of Congress.

1      *Resolved, That—*

1           (1) States maintain primacy for the regulation  
2 of hydraulic fracturing for oil and natural gas pro-  
3 duction on State and private lands;

4           (2) the President has no authority to declare a  
5 moratorium on the use of hydraulic fracturing on  
6 State and private lands; and

7           (3) the President should not attempt to declare  
8 a moratorium on the use of hydraulic fracturing on  
9 Federal lands (including the Outer Continental  
10 Shelf) or lands held in trust for an Indian Tribe, un-  
11 less the moratorium is authorized by an Act of Con-  
12 gress.

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