

117TH CONGRESS  
1ST SESSION

# H. R. 488

To prohibit a moratorium on mineral development on Bureau of Land Management and National Forest System land, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2021

Mr. STAUBER (for himself, Mr. EMMER, Mr. HAGEDORN, and Mrs. FISCHBACH) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit a moratorium on mineral development on Bureau of Land Management and National Forest System land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saving America’s  
5 Mines Act”.

6 **SEC. 2. PROTECTING THE EXTRACTION OF CRITICAL MIN-**  
7 **ERALS IN THE UNITED STATES.**

8 (a) FINDINGS.—Congress finds the following:

1           (1) It is the policy of the United States Forest  
2           Service to foster and encourage mineral development  
3           on National Forest System lands in an ecologically  
4           sound manner.

5           (2) Mineral development is an important land  
6           use within the multiple-use mandate of the Bureau  
7           of Land Management.

8           (3) Development of the minerals of the United  
9           States is necessary for batteries, energy production,  
10          national security, and health care technology.

11          (4) Unilateral mineral withdrawals on Federal  
12          lands increases the reliance of the United States on  
13          countries with horrific labor and environmental  
14          standards, including Russia, China, and the Congo.

15          (b) IN GENERAL.—Notwithstanding any other provi-  
16          sion of law, the President or Secretary concerned may not  
17          declare a moratorium on or reverse any existing lease, per-  
18          mit, or claim, on the mining and extraction of any critical  
19          mineral or common varieties of sand, stone, and gravel  
20          on National Forest System or Bureau of Land Manage-  
21          ment land unless specifically authorized by an Act of Con-  
22          gress, or upon the lessee, permittee, or claimant’s failure  
23          to comply with any of the provisions of its agreement.

24          (c) DEFINITIONS.—In this section the following defi-  
25          nitions apply:

1 (1) CRITICAL MINERAL.—

2 (A) IN GENERAL.—The term “critical min-  
3 eral” means any mineral, element, or substance  
4 of material—

5 (i) that is essential to the economic or  
6 national security of the United States;

7 (ii) the supply chain of which is vul-  
8 nerable to disruption, including—

9 (I) restrictions associated with  
10 foreign political risk;

11 (II) abrupt demand growth;

12 (III) military conflict;

13 (IV) violent unrest;

14 (V) anti-competitive or protec-  
15 tionist behavior; and

16 (VI) any other risk throughout  
17 the supply chain; and

18 (iii) that serves an essential function  
19 in the manufacturing of a product, the ab-  
20 sence of which would have significant con-  
21 sequences for the economic or national se-  
22 curity of the United States.

23 (B) EXCEPTION.—The term “critical min-  
24 eral” shall not include—

25 (i) any fuel; or

1 (ii) water, ice, or snow.

2 (2) SECRETARY CONCERNED.—The term “Sec-  
3 retary concerned” means—

4 (A) the Secretary of the Interior, with re-  
5 spect to matters concerning lands administered  
6 by the Department of the Interior; and

7 (B) the Secretary of Agriculture, with re-  
8 spect to matters concerning lands administered  
9 by the Department of Agriculture.

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