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HOUSE OF REPRESENTATIVES
REPORT
119–357

TO AMEND THE MINERAL LEASING ACT FOR ACQUIRED LANDS TO MAKE THAT ACT APPLICABLE TO HARDROCK MINERALS

OCTOBER 31, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 3872]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3872) to amend the Mineral Leasing Act for Acquired Lands to make that Act applicable to hardrock minerals, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. APPLICATION OF MINERAL LEASING ACT FOR ACQUIRED LANDS TO HARDROCK MINERALS.

The Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) is amended—

(1) in section 2 (30 U.S.C. 351)—

(A) by striking "Act 'United States'" and inserting the following: "Act:

"(1) UNITED STATES.—The term 'United States'";

(B) by striking "Alaska. 'Acquired lands'" and inserting the following: "Alaska.

"(2) ACQUIRED LANDS; LANDS ACQUIRED BY THE UNITED STATES.—The term 'acquired lands'";

(C) by striking "552). 'Secretary'" and inserting the following: "552).

"(3) SECRETARY.—The term 'Secretary'";

(D) by striking "Interior. 'Mineral leasing laws' shall mean" and inserting the following: "Interior.

"(4) MINERAL LEASING LAWS.—The term 'mineral leasing laws' means";

(E) by striking "Acts. 'Lease'" and inserting the following: "Acts.

"(5) LEASE.—The term 'lease'";

(F) by striking "requires. The term" and inserting the following: "requires.

"(6) OIL.—The term"; and

(G) by adding at the end the following:

"(7) HARDROCK MINERAL.—The term 'hardrock mineral'—

"(A) includes deposits of—

"(i) minerals found in sedimentary or other rocks;

"(ii) base metals;
"(iii) precious metals;
"(iv) industrial minerals; and
"(v) precious and semi-precious gemstones; and
"(B) does not include deposits of—
"(i) coal;
"(ii) oil;
"(iii) oil shale;
"(iv) gas;
"(v) sodium;
"(vi) potassium;
"(vii) sulfur; or
"(viii) mineral materials subject to disposition under the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 et seq.)."; and
(2) in section 3 (30 U.S.C. 352), by striking "and sulfur" and inserting "sulfur, and hardrock minerals".

Purpose of the Legislation

The purpose of H.R. 3872 is to amend the Mineral Leasing Act for Acquired Lands to make that Act applicable to hardrock minerals.

Background and Need for Legislation

H.R. 3872, sponsored by Representative Pat Fallon (R–TX), would amend the Mineral Leasing Act for Acquired Lands (MLAAL), clarifying that all federally acquired lands are eligible to be considered for hardrock mineral leasing.

The MLAAL typically governs mineral leasing on acquired federal lands. However, while minerals such as coal, phosphate, oil, gas, gilsonite, and sulfur are listed as "deposits subject to a lease" under MLAAL, the law doesn't reference hardrock minerals.[1] As a result, hardrock mineral leasing may occur only on those acquired lands where specific authority exists under the statute used to acquire the land in question.[2] For example, the Act of June 30, 1950, allows hardrock mineral leasing on acquired national forest lands in Minnesota.[3]

MLAAL's omission of hardrock minerals has effectively locked up federally acquired lands that hold critical mineral resources. In northeast Texas, for example, the Bureau of Land Management is unable to even consider leasing for a valuable lithium deposit because the deposit is located on lands acquired by the federal government over 80 years ago.[4]

H.R. 3872 would address this issue by stipulating that all federally acquired lands are eligible to be considered for hardrock mineral leasing under MLAAL. This legislation would provide the Secretary of the Interior with the legal authority needed to carry out President Trump's executive order entitled "Immediate Measures to Increase Mineral Production," which directs executive branch departments to prioritize mineral leasing and development on feder-

[1] 30 U.S. Code § 352—Deposits subject to lease; consent of department heads; lands excluded, https://www.law.cornell.edu/uscode/text/30/352.
[2] 43 CFR 3503.13, "For what areas may I receive a hardrock mineral permit or lease?" https://www.ecfr.gov/current/title43/subtitle-B/chapter-II/subchapter-C/part-3500/subpart-3503/subject-group-ECFRe52b19836ee2e1b/section-3503.13.
[3] 16 USC 508b: National forests in Minnesota; authority to prospect, develop, mine, remove, and utilize mineral resources, https://uscode.house.gov/view.xhtml?req=(title:16%20section:508b%20edition:prelim).
[4] EMR Majority Staff Correspondence with the Bureau of Land Management, January 13, 2025.

ally managed lands.[5] By ensuring access to America's vast resources, H.R. 3872 will help strengthen our economy, bolster national security, and maintain U.S. leadership in responsible mineral development.

Committee Action

H.R. 3872 was introduced on June 10, 2025, by Representative Pat Fallon (R–TX). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Energy and Mineral Resources. On September 3, 2025, the Subcommittee on Energy and Mineral Resources held a hearing on the bill. On September 17, 2025, the Committee on Natural Resources met to consider the bill. The Subcommittee on Energy and Mineral Resources was discharged from further consideration of H.R. 3872 by unanimous consent. Representative Pete Stauber (R–MN) offered an Amendment in the Nature of a Substitute designated Stauber_025 ANS. The Amendment in the Nature of a Substitute was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

Hearings

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Energy and Mineral Resources held on September 3, 2025.

Section-by-Section Analysis

Section 1. Application of Mineral Leasing Act for Acquired Lands to hardrock minerals

Defines hardrock minerals and lists hardrock minerals as "deposits subject to a lease" under MLAAL.

Committee Oversight Findings and Recommendations

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

Compliance With House Rule XIII and Congressional Budget Act

1. *Cost of Legislation and the Congressional Budget Act*. Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

[5] Executive Order 14241, "Immediate Measures to Increase American Mineral Production," The White House, March 20, 2025 https://www.whitehouse.gov/presidential-actions/2025/03/immediate-measures-to-increase-american-mineral-production/.

2. *General Performance Goals and Objectives*. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Mineral Leasing Act for Acquired Lands to make that Act applicable to hardrock minerals.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

MINERAL LEASING ACT FOR ACQUIRED LANDS

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SEC. 2. As used in this [Act "United States"] *Act:*

(1) UNITED STATES.—The term "United States" includes [Alaska. "Acquired lands"] *Alaska.*

(2) ACQUIRED LANDS; LANDS ACQUIRED BY THE UNITED STATES.—The term "acquired lands" or "lands acquired by the United States" include all lands heretofore or hereafter acquired by the United States to which the "mineral leasing laws" have not been extended, including such lands acquired under the provisions of the Act of March 1, 1911 (36 Stat. 961, 16 U.S.C., sec. [552). "Secretary"] *552).*

(3) SECRETARY.—The term "Secretary" means the Secretary of the [Interior. "Mineral leasing laws" shall mean] *Interior.*

(4) MINERAL LEASING LAWS.—The term "mineral leasing laws" means the Act of October 20, 1914 (38 Stat. 741, 48 U.S.C., sec. 432); the Act of February 25, 1920 (41 Stat. 437, 30 U.S.C., sec. 181); the Act of April 17, 1926 (44 Stat. 301, 30 U.S.C., sec. 271); the Act of February 7, 1927 (44 Stat. 1057, 30 U.S.C., sec. 281), and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing [Acts. "Lease"] *Acts.*

(5) LEASE.—The term "lease" includes "prospecting permit" unless the context otherwise [requires. The term] *requires.*

(6) OIL.—The term "oil" shall embrace all nongaseous hydrocarbon substances other than those leasable as coal, oil shale, or gilsonite (including all vien-type solid hydrocarbons).

(7) HARDROCK MINERAL.—The term "hardrock mineral"—

(A) includes deposits of—

(i) minerals found in sedimentary or other rocks;

(ii) base metals;

(iii) precious metals;

(iv) industrial minerals; and

(v) precious and semi-precious gemstones; and

(B) does not include deposits of—

(i) coal;

(ii) oil;

(iii) oil shale;

(iv) gas;

(v) sodium;

(vi) potassium;

(vii) sulfur; or

(viii) mineral materials subject to disposition under the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 et seq.).

SEC. 3. Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U.S.C., sec. 1611 and the following), all deposits of coal, phosphate, oil, oil shale, gilsonite (including all vein-type solid hydrocarbons), gas, sodium, potassium, [and sulfur] *sulfur, and hardrock minerals* which are owned or may hereafter be acquired by the United States and which are within the lands acquired by the United

States (exclusive of such deposits in such acquired lands as are (a) situated within incorporated cities, towns and villages, national parks or monuments, or (b) tidelands or submerged lands) may be leased by the Secretary under the same conditions as contained in the leasing provisions of the mineral leasing laws, subject to the provisions hereof. Coal or lignite under acquired lands set apart for military or naval purposes may be leased by the Secretary, with the concurrence of the Secretary of Defense, to a governmental entity (including any corporation primarily acting as an agency or instrumentality of a State) which produces electrical energy for sale to the public if such governmental entity is located in the State in which such lands are located. The provisions of the Act of April 17, 1926 (44 Stat. 301), as heretofore or hereafter amended, shall apply to deposits of sulfur covered by this Act wherever situated. No mineral deposit covered by this section shall be leased except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, and subject to such conditions as that official may prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered: *Provided,* That nothing in this Act is intended, or shall be construed, to apply to or in any manner affect any mineral rights, exploration permits, leases or conveyances nor minerals that are or may be in any tidelands; or submerged lands; or in lands underlying the three mile zone or belt involved in the case of the United States of America against the State of California now pending on application for rehearing in the Supreme Court of the United States; or in lands underlying such three mile zone or belt, or the continental shelf, adjacent or littoral to any part of the land within the jurisdiction of the United States of America.

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