

BOUNDARY WATERS WILDERNESS PROTECTION AND
POLLUTION PREVENTION ACT

DECEMBER 14, 2022.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

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

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 2794]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2794) to provide for the protection of the Boundary Waters Canoe Area Wilderness and interconnected Federal lands and waters, including Voyageurs National Park, within the Rainy River Watershed in the State of Minnesota, and for other purposes, 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. SHORT TITLE.

This Act may be cited as the “Boundary Waters Wilderness Protection and Pollution Prevention Act”.

SEC. 2. WITHDRAWAL OF CERTAIN FEDERAL LANDS AND WATERS IN THE STATE OF MINNESOTA.

(a) **DEFINITION OF MAP.**—In this Act, the term “Map” means the map prepared by the Forest Service entitled “Superior National Forest Mineral Withdrawal Application Map” and dated December 5, 2016.

(b) **WITHDRAWAL.**—Except as provided in subsection (d) and subject to valid existing rights, the approximately 234,328 acres of Federal land and waters in the Rainy River Watershed of the Superior National Forest in the State of Minnesota, as located on the Map and described in the Federal Register Notice of Application for Withdrawal, dated January 19, 2017 (82 Fed. Reg. 6639), are hereby withdrawn from—

- (1) all forms of entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(c) ACQUIRED LAND.—Any land or interest in land within the area depicted on the Map that is acquired by the United States after the date of enactment of this Act shall, on acquisition, be immediately withdrawn in accordance with this section.

(d) REMOVAL OF SAND, GRAVEL, GRANITE, IRON ORE, AND TACONITE.—The Chief of the Forest Service is authorized to permit the removal of sand, gravel, granite, iron ore, and taconite from national forest system lands within the area depicted on the Map if the Chief determines that the removal is not detrimental to the water quality, air quality, and health of the forest habitat within the Rainy River Watershed.

(e) AVAILABILITY OF MAP.—The Map shall be kept on file and made available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

PURPOSE OF THE BILL

The purpose of H.R. 2794 is to provide for the protection of the Boundary Waters Canoe Area Wilderness and interconnected federal lands and waters, including Voyageurs National Park, within the Rainy River Watershed in the State of Minnesota.

BACKGROUND AND NEED FOR LEGISLATION

Originally designated under the *Wilderness Act of 1964*, the Boundary Waters Canoe Area Wilderness (BWCAW) is a 1,090,000-acre federal wilderness area inside Superior National Forest in northern Minnesota. It is the nation's most visited wilderness area, welcoming approximately 150,000 visitors annually.¹ Along with nearby Voyageurs National Park, the Boundary Waters is a lynchpin of the regional economy, supporting 22,000 jobs and \$1.4 billion in annual visitor spending.²

BWCAW is nationally significant because of its pristine water resources, remote location, and expansive solitude. The BWCAW contains nearly 1,200 lakes ranging in size from 10 acres to 10,000 acres, more than 1,200 miles of canoe routes, and 2,100 campsites.³ There are also 1,500 cultural resource sites including historic Ojibwe villages and Native American pictograph panels.⁴ The BWCAW is a prime location for hunting and fishing and contains valuable biodiverse ecosystems that provide a protected home for wildlife such as loons, black bear, moose, foxes, and deer.

The BWCAW watershed is also internationally significant. In 1909, the United States signed a treaty with Canada, known as the *Boundary Waters Treaty*, requiring that neither country pollute waters that flow across the international boundary. Within the Rainy River Watershed, the Kawishiwi River flows north directly into the Boundary Waters Canoe Area Wilderness and then into Canada and the shared waters of Voyageurs National Park. The commitment to protect this international watershed is why the Canadian government has formally expressed concern over the risk to water quality from proposed increases in mining activity, through

¹U.S. Department of the Interior Press Release, *Obama Administration Takes Steps to Protect Watershed of the Boundary Waters Canoe Area Wilderness*, December 15, 2016. <https://www.doi.gov/pressreleases/obama-administration-takes-steps-protect-watershed-boundary-waters-canoe-area>.

²Dissenting Views, H.R. 3905 Bill Report. <https://www.congress.gov/115/crpt/hrpt422/CRPT-115hrpt422.pdf>.

³*Ibid.*

⁴“Section 2, Findings” of H.R. 5598 Boundary Waters Wilderness Protection and Pollution Prevention Act.

the International Joint Commission (IJC) in 2015⁵ and Global Affairs Canada in 2019.⁶

While the BWCAW is specifically protected for its conservation, recreation, and historical values, Superior National Forest also has a long history of industrial activity. In 1966, the Bureau of Land Management (BLM) issued two mineral leases covering 5,000 acres of the Superior National Forest just outside the BWCAW.⁷ These leases were valid for twenty years, at which point the federal government reserved the right to review the leases to determine whether they should be extended. In a 1966 press release, the U.S. Department of the Interior (DOI) explicitly stated that the leases “grant mining rights to the company for 20 years; renewable for 30 years at 10-year intervals if the property is brought into production within the initial 20-year term.”⁸ Neither lease has ever supported active mining, yet they received waivers from the production requirement and were renewed in 1989 and 2004.

In 2012, Twin Metals Minnesota—a wholly owned subsidiary of Chilean mining company Antofagasta—requested an extension of the two leases in order to build a sulfide-ore copper mine. Although mining operations are common in northern Minnesota and the Superior National Forest, the type of mining practiced in the area has been taconite (iron ore) mining, which does not lead to acid mine drainage. Copper sulfide mining, on the other hand, has never been attempted in this water-rich ecosystem. Sulfide ore mining is notorious for polluting rivers, lakes and groundwater with severe and long-lasting acid mine drainage,⁹ and any pollution produced at the Twin Metals mine would flow directly into the Boundary Waters.

In 2016, after a public input process, the U.S. Forest Service—which needs to provide consent before BLM can authorize mining operations on the leases—concluded that building a sulfide-ore copper mine in the watershed near the BWCAW could result in “extreme” and “serious and irreplaceable harm” to the wilderness area.¹⁰ The Forest Service withheld its consent for renewal, and the leases expired. In denying the lease renewal, the Obama administration cited “broad concerns from thousands of public comments and input about potential impacts of mining on the wilderness area’s watershed, fish and wildlife, and the nearly \$45 million recreation economy,” and “the potential risk of environmental contamination of the surrounding watershed,” including within the BWCAW. The Obama administration also determined that the

⁵Letter from IJC Secretaries Camille Mageau and Dr. Charles A. Lawson to Christopher Wilkie, Director of U.S. Transboundary Affairs Division, Foreign Affairs and International Trade Canada and Susan Saarnio, Director Office of Canadian Affairs, U.S. Department of State. January 22, 2015.

⁶Letter from Eric Walsh, Director General, North American Strategy Bureau, Global Affairs Canada to Derek Strohl, Natural Resources Specialist and Project Lead, Bureau of Land Management. January 30, 2019.

⁷Under 16 U.S.C. 508b, national forests in Minnesota are not subject to the Mining Law of 1872.

⁸U.S. Department of the Interior Press Release, “Government Grants Leases for Nickel and Copper Mining,” June 14, 1966.

⁹B. Gestring, “U.S. Copper Porphyry Mines: The Track Record of water quality impacts resulting from pipeline spills, tailings failures and water collection and treatment failures,” Earthworks, July 2012.

¹⁰Letter from Thomas Tidwell, Chief of the U.S. Forest Service to Neil Kornze, Director of the Bureau of Land Management. December 14, 2016, available at https://www.savetheboundarywaters.org/sites/default/files/attachments/twin_metals_proposed_lease_renewal_with_bibliography.pdf.

Boundary Waters would be particularly sensitive to any acid mine drainage from the proposed sulfide-ore copper mine.¹¹

Following the refusal to renew the mineral leases, the Forest Service initiated a public process to withdraw 235,000 acres of Superior National Forest within the Rainy River Watershed from potential mineral activity for a period of twenty years in order to provide further protections for the BWCAW.

Nonetheless, reinstating the Twin Metals-owned leases in Minnesota and stopping the mineral withdrawal was a top priority for the Trump administration. In 2017, BLM reinstated the expired leases and Twin Metals' lease renewal application, and in September 2018, the Forest Service abruptly cancelled its withdrawal application and the associated Environmental Assessment (EA) before it was completed. BLM renewed the two Twin Metals leases in May 2019.

In January 2022, the Department of the Interior's Office of the Solicitor issued a new legal opinion regarding the 2019 renewal of these two leases. The opinion found that the Trump administration improperly renewed the leases by failing to follow Department regulations, did not incorporate the Forest Service's opposition to the renewal, and conducted an inadequate environmental analysis under the National Environmental Policy Act (NEPA). Given these findings, the Department of the Interior cancelled the two leases. The Forest Service has also resubmitted a 20-year withdrawal application to the Bureau of Land Management, and at the time of H.R. 2794's consideration at committee markup, published a Draft Environmental Assessment.

As the significant back-and-forth between multiple administrations shows, the BWCAW deserves permanent protection from the threat of copper-sulfide mining, which can only be provided by Congress. The proposed Twin Metals mine is a direct threat to the pristine water, clean air, and healthy forest ecosystem of the Boundary Waters. Allowing sulfide ore mining to go forward on public land within the watershed of the BWCAW would present unnecessary risks to this treasured special place. H.R. 2794, *the Boundary Waters Wilderness Protection and Pollution Prevention Act*, would protect the wilderness for future generations by permanently withdrawing 234,328 acres of federal land and waters inside Superior National Forest from future mineral and geothermal leasing activities. Importantly, the legislation would still allow for sand, gravel, granite, iron ore, and taconite mining if the Chief of the Forest Service determines that those activities would not be detrimental to the water quality, air quality, and health of the forest habitat of the Rainy River Watershed.

COMMITTEE ACTION

H.R. 2794 was introduced on April 22, 2021, by Representative Betty McCollum (D-MN). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on Energy and Mineral Resources and the Subcommittee on National Parks, Forests, and Public Lands. On May

¹¹U.S. Department of the Interior Press Release, *Obama Administration Takes Steps to Protect Watershed of the Boundary Waters Canoe Area Wilderness*, December 15, 2016. <https://www.doi.gov/pressreleases/obama-administration-takes-steps-protect-watershed-boundary-waters-canoe-area>.

24, 2022, the Subcommittee on Energy and Mineral Resources held a hearing on the bill. On July 13, 2022, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Chair Raúl M. Grijalva (D-AZ) offered an amendment in the nature of a substitute. Rep. Pete Stauber (R-MN) offered an amendment designated Stauber #1 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 20 yeas and 21 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendment #1 to the ANS

Disposition: Was not agreed to by a roll call vote of 20 yeas and 21 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA			
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Obenolte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS	20	21	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Rep. Stauber offered an amendment designated Stauber #2 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 23 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendment #2 to the ANS

Disposition: Was not agreed to by a roll call vote of 19 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS	19	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Rep. Stauber offered an amendment designated Stauber #3 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 23 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendment #3 to the ANS

Disposition: Was not agreed to by a roll call vote of 18 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN			
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS	18	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Rep. Stauber offered an amendment designated Stauber #4 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 22 nays, as follows:

Date: July 13, 2022

COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendment #4 to the ANS

Disposition: Was not agreed to by a roll call vote of 18 yeas and 22 nays.¹

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS	18	22	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

¹ During the markup, the total on this vote was announced incorrectly. The numbers above are accurate and authoritative.

Rep. Stauber offered an amendment designated Stauber #12 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 22 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendment #12 to the ANS

Disposition: Was not agreed to by a roll call vote of 19 yeas and 22 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS	19	22	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Rep. Stauber offered an amendment designated Stauber #9 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 22 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendment #9 to the ANS

Disposition: Was not agreed to by a roll call vote of 17 yeas and 22 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
	TOTALS	17	22	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

By unanimous consent, Rep. Stauber offered amendments designated Stauber #5, Stauber #8, Stauber #10, Stauber #11, Stauber #13, Stauber #14, Stauber #15, and Stauber #20 en bloc to the amendment in the nature of a substitute. The en bloc amendments were not agreed to by a roll call vote of 18 yeas and 22 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Stauber amendments #5, 8, 10, 11, 13, 14, 15, 20 en bloc to the ANS

Disposition: Was not agreed to by a roll call vote of 18 yeas and 22 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI			
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (201)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Obermole, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
	TOTALS	18	22	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Ranking Member Bruce Westerman (R-AR) offered an amendment designated Westerman #17 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 23 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Westerman amendment #17 to the ANS

Disposition: Was not agreed to by a roll call vote of 18 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
	TOTALS	18	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Ranking Member Westerman offered an amendment designated Westerman #18 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 23 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Westerman #18 amd to ANS

Disposition: Was not agreed to by a roll call vote of 17 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. García, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
	TOTALS	17	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Rep. Lauren Boebert (R-CO) offered an amendment designated Boebert #16 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 23 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Boebert #16 amd to ANS

Disposition: Was not agreed to by a roll call vote of 17 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sabian, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA			
	TOTALS	17	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

Rep. Tom Tiffany (R-WI) offered an amendment designated Tiffany #6 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 16 yeas and 23 nays, as follows:

Date: July 13, 2022

COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL

Bill / Motion: H.R. 2794

Amendment: Rep. Tiffany #6 to the ANS

Disposition: Was not agreed to by a roll call vote of 16 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA			
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintok, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS .	16	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

By unanimous consent, Rep. Garret Graves (R-LA) offered amendments designated Graves #1 (Revised) and Graves #4 *en bloc* to the amendment in the nature of a substitute. The *en bloc* amendments were not agreed to by voice vote. By unanimous consent, Rep. Graves offered amendments designated Graves #3 and Graves #5 *en bloc* to the amendment in the nature of a substitute. The *en bloc* amendments were not agreed to by a roll call vote of 17 yeas and 23 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment: Rep. Graves #3 and 5 amendments to the ANS en bloc

Disposition: Was not agreed to by a roll call vote of 17 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP		X	
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Ms. Conway, CA	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Miss González-Colón, PR	X		
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA			
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA			
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
	TOTALS	17	23	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

The amendment in the nature of a substitute was agreed to by voice vote. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 24 yeas and 16 nays, as follows:

Date: July 13, 2022

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2794

Amendment:

Disposition: Final Passage: H.R. 2794, as amended, was ordered favorably reported to the House of Representatives by a roll call vote 24 yeas and 16 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ	X		
8	Mr. Garcia, IL	X		
9	Mr. Grijalva, AZ (Chair)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger-Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA	X		
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA			
19	Mr. Sablan, MP	X		
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY			
	REP. MEMBERS (21)	Y	N	P
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO			
3	Mr. Carl, AL		X	
4	Ms. Conway, CA		X	
5	Mr. Fulcher, ID		X	
6	Mr. Gohmert, TX		X	
7	Miss González-Colón, PR		X	
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA			
11	Mr. Lamborn, CO	X		
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT		X	
14	Mr. Obermole, CA			
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI		X	
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
	Mr. Wittman, VA		X	
	TOTALS	24	16	
	Total: 47 / Quorum: 16 / Report: 24	YEAS	NAYS	PRESENT

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 May 24, 2022.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section provides the short title of the bill, the “Boundary Waters Wilderness Protection and Pollution Prevention Act.”

Section 2. Withdrawal of certain federal lands and waters in the state of Minnesota

This section states that 234,328 acres of federal land and waters, as depicted on the “Superior National Forest Mineral Withdrawal Application Map” dated December 5, 2016, are permanently withdrawn from future mineral and geothermal leasing. If the federal government acquires lands depicted on the map, those lands are also withdrawn from future mineral and geothermal leasing. The legislation protects all valid existing rights and the Chief of the Forest Service is authorized to permit the removal of sand, gravel, granite, iron ore, and taconite within the areas depicted on the Map if the Chief determines that removal is not detrimental to water quality, air quality, or the health of the forest habitat within the Rainy River Watershed.

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.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) and clause 3(d) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objec-

tives of this bill are to provide for the protection of the Boundary Waters Canoe Area Wilderness and interconnected federal lands and waters, including Voyageurs National Park, within the Rainy River Watershed in the State of Minnesota.

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

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

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

If enacted, this bill would make no changes to existing law.

DISSENTING VIEWS

H.R. 2794 (McCollum) would permanently withdraw 234,238 acres of the Superior National Forest in northern Minnesota from mineral development. The Superior National Forest in northeastern Minnesota contains 3.7 million acres of National Forest System land, under which lies the Duluth Complex, one of the largest undeveloped mineral reserves in the world.

Vast amounts of copper and nickel, as well as cobalt and platinum metal groups, began to attract interest from developers decades ago. Two mining leases were granted to project proponents in 1966 for an initial term of 20 years, with rights to renew for 10 years. These leases have been renewed multiple times since. The need for these valuable commodities has increased tremendously since the leases were initially granted; growth in the renewable energy sector and other advanced technologies has increased demand for many hardrock minerals by orders of magnitude. The Duluth Complex could be a crucial supplier of copper, nickel, and cobalt, all of which are vital for electric vehicles and other renewable technologies. This deposit is one of the richest in the world, containing an estimated 7.7 billion short tons of ore in total.

In the last days of the Obama administration, the U.S. Forest Service (USFS) filed an application with the Bureau of Land Management (BLM) to withdraw 234,328 acres in the Superior National Forest from mineral development, immediately halting all mining activities pending the results of an environmental review. The Obama administration also declined to renew the two mineral leases held by Twin Metals Minnesota, despite their long tenure and hundreds of millions of dollars spent exploring the prospective mine site.

After 15 months of environmental review, the Trump administration cancelled the application for the mineral withdrawal on September 6, 2018, and reinstated the mineral leases on May 2, 2018. In December 2019, Twin Metals Minnesota formally submitted a Mine Plan of Operation to BLM.

Unfortunately, on October 20, 2021, the Biden administration restarted the process for withdrawing taconite, copper, nickel, cobalt, platinum, and other minerals from development in the area, triggering an automatic two-year pause on mineral activities while the withdrawal application is analyzed. On January 26, 2022, the Biden administration took another step by cancelling the two mineral leases, originally issued in 1966, held by Twin Metals Minnesota. These actions interrupted regular regulatory review under the National Environmental Policy Act (NEPA), including an Environmental Impact Statement (EIS) to thoroughly analyze Twin Metals' Mine Plan of Operations.

In the face of rising mineral demand and supply chain risks, not to mention the 700 direct and 1,400 indirect jobs that would be cre-

ated by the Twin Metals Minnesota project alone, maximizing domestic production in the Duluth Complex and elsewhere will help support responsible production of minerals for many years to come. H.R. 2794 would take our country in the wrong direction, furthering reliance on foreign supply chains powered by child slave labor for everything from cell phones to solar panels and permanently withdrawing 234,238 acres from nonferrous mineral development. H.R. 2794 would authorize the Chief of the Forest Service to have veto authority over taconite projects and quarries in the withdrawal area, hinging Minnesota's robust iron history on the attitude of the whoever occupies the White House, rather than on sound environmental analysis.

For these reasons, I oppose H.R. 2794.

BRUCE WESTERMAN.

