

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 6968  
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be known as the “Suspending Normal  
3 Trade Relations with Russia and Belarus Act”.

**4 SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The United States is a founding member of  
7 the World Trade Organization (WTO) and is com-  
8 mitted to ensuring that the WTO remains an effec-  
9 tive forum for peaceful economic engagement.

10 (2) Ukraine is a sovereign nation-state that is  
11 entitled to enter into agreements with other sov-  
12 ereign states and to full respect of its territorial in-  
13 tegrity.

14 (3) The United States will be unwavering in its  
15 support for a secure, democratic, and sovereign  
16 Ukraine, free to choose its own leaders and future.

17 (4) Ukraine acceded to the Marrakesh Agree-  
18 ment Establishing the World Trade Organization

1 (WTO Agreement) and has been a WTO member  
2 since 2008.

3 (5) Ukraine's participation in the WTO Agree-  
4 ment creates both rights and obligations vis-à-vis  
5 other WTO members.

6 (6) The Russian Federation acceded to the  
7 WTO on August 22, 2012, becoming the 156th  
8 WTO member, and the Republic of Belarus has ap-  
9 plied to accede to the WTO.

10 (7) From the date of its accession, the Russian  
11 Federation committed to apply fully all provisions of  
12 the WTO.

13 (8) The United States Congress authorized per-  
14 manent normal trade relations for the Russian Fed-  
15 eration through the Russia and Moldova Jackson-  
16 Vanik Repeal and Sergei Magnitsky Rule of Law  
17 Accountability Act of 2012 (Public Law 112–208).

18 (9) Ukraine communicated to the WTO General  
19 Council on March 2, 2022, urging that all WTO  
20 members take action against the Russian Federation  
21 and “consider further steps with the view to sus-  
22 pending the Russian Federation's participation in  
23 the WTO for its violation of the purpose and prin-  
24 ciples of this Organization”.

1           (10) Vladimir Putin, a ruthless dictator, has led  
2           the Russian Federation into a war of aggression  
3           against Ukraine, which—

4                   (A) denies Ukraine and its people their col-  
5                   lective rights to independence, sovereignty, and  
6                   territorial integrity;

7                   (B) constitutes an emergency in inter-  
8                   national relations, because it is a situation of  
9                   armed conflict that threatens the peace and se-  
10                  curity of all countries, including the United  
11                  States; and

12                  (C) denies Ukraine its rightful ability to  
13                  participate in international organizations, in-  
14                  cluding the WTO.

15           (11) The Republic of Belarus, also led by a  
16           ruthless dictator, Aleksander Lukashenka, is pro-  
17           viding important material support to the Russian  
18           Federation's aggression.

19           (12) The Russian Federation's exportation of  
20           goods in the energy sector is central to its ability to  
21           wage its war of aggression on Ukraine.

22           (13) The United States, along with its allies  
23           and partners, has responded to recent aggression by  
24           the Russian Federation in Ukraine by imposing

1 sweeping financial sanctions and stringent export  
2 controls.

3 (14) The United States cannot allow the con-  
4 sequences of the Russian Federation's actions to go  
5 unaddressed, and must lead fellow countries, in all  
6 fora, including the WTO, to impose appropriate con-  
7 sequences for the Russian Federation's aggression.

8 **SEC. 3. SUSPENSION OF NORMAL TRADE RELATIONS WITH**  
9 **THE RUSSIAN FEDERATION AND THE REPUB-**  
10 **LIC OF BELARUS.**

11 (a) NONDISCRIMINATORY TARIFF TREATMENT.—  
12 Notwithstanding any other provision of law, beginning on  
13 the day after the date of the enactment of this Act, the  
14 rates of duty set forth in column 2 of the Harmonized  
15 Tariff Schedule of the United States shall apply to all  
16 products of the Russian Federation and of the Republic  
17 of Belarus.

18 (b) AUTHORITY TO PROCLAIM INCREASED COLUMN  
19 2 RATES.—

20 (1) IN GENERAL.—The President may proclaim  
21 increases in the rates of duty applicable to products  
22 of the Russian Federation or the Republic of  
23 Belarus, above the rates set forth in column 2 of the  
24 Harmonized Tariff Schedule of the United States.

1           (2) **PRIOR CONSULTATION.**—The President  
2 shall, not later than 5 calendar days before issuing  
3 any proclamation under paragraph (1), consult with  
4 the Committee on Ways and Means of the House of  
5 Representatives and the Committee on Finance of  
6 the Senate regarding the basis for and anticipated  
7 impact of the proposed increases to rates of duty de-  
8 scribed in paragraph (1).

9           (3) **TERMINATION.**—The authority to issue  
10 proclamations under this subsection shall terminate  
11 on January 1, 2024.

12 **SEC. 4. PROHIBITION ON IMPORTATION OF ENERGY PROD-**  
13 **UCTS OF THE RUSSIAN FEDERATION.**

14           (a) **IN GENERAL.**—Notwithstanding any other provi-  
15 sion of law, all products of the Russian Federation classi-  
16 fied under chapter 27 of the Harmonized Tariff Schedule  
17 of the United States shall be banned from importation into  
18 the United States, other than products imported on or be-  
19 fore 11:59 p.m. eastern daylight time on the date that is  
20 45 days after the date of the enactment of this Act.

21           (b) **TERMINATION UPON EXTENSION OF NORMAL**  
22 **TRADE RELATIONS WITH THE RUSSIAN FEDERATION.**—  
23 The prohibition under subsection (a) shall terminate on  
24 the date on which the President grants permanent non-  
25 discriminatory tariff treatment (normal trade relations) to

1 the products of the Russian Federation pursuant to sec-  
2 tion 5(b)(3).

3 **SEC. 5. RESUMPTION OF APPLICATION OF HTS COLUMN 1**  
4 **RATES OF DUTY AND RESTORATION OF NOR-**  
5 **MAL TRADE RELATIONS TREATMENT FOR**  
6 **THE RUSSIAN FEDERATION AND THE REPUB-**  
7 **LIC OF BELARUS.**

8 (a) TEMPORARY APPLICATION OF HTS COLUMN 1  
9 RATES OF DUTY.—

10 (1) IN GENERAL.—Notwithstanding any other  
11 provision of law (including the application of column  
12 2 rates of duty under section 3), the President is au-  
13 thorized to temporarily resume, for one or more pe-  
14 riods not to exceed 1 year each, the application of  
15 the rates of duty set forth in column 1 of the Har-  
16 monized Tariff Schedule of the United States to the  
17 products of the Russian Federation, the Republic of  
18 Belarus, or both, if the President submits to Con-  
19 gress with respect to either or both such countries  
20 a certification under subsection (c) for each such pe-  
21 riod. Such action shall take effect beginning on the  
22 date that is 90 calendar days after the date of sub-  
23 mission of such certification for such period, unless  
24 there is enacted into law during such 90-day period  
25 a joint resolution of disapproval.

1           (2) CONSULTATION AND REPORT.—The Presi-  
2           dent shall, not later than 45 calendar days before  
3           submitting a certification under paragraph (1)—

4                   (A) consult with the Committee on Ways  
5                   and Means of the House of Representatives and  
6                   the Committee on Finance of the Senate; and

7                   (B) submit to both such committees a re-  
8                   port that explains the basis for the determina-  
9                   tion of the President contained in such certifi-  
10                  cation.

11          (b) RESTORATION OF NORMAL TRADE RELATIONS  
12          TREATMENT.—

13               (1) IN GENERAL.—The President is authorized  
14               to resume the application of the rates of duty set  
15               forth in column 1 of the Harmonized Tariff Sched-  
16               ule of the United States to the products of the Rus-  
17               sian Federation, the Republic of Belarus, or both, if  
18               the President submits to Congress with respect to ei-  
19               ther or both such countries a certification under  
20               subsection (c). Such action shall take effect begin-  
21               ning on the date that is 90 calendar days after the  
22               date of submission of such certification, unless there  
23               is enacted into law during such 90-day period a joint  
24               resolution of disapproval.

1           (2) CONSULTATION AND REPORT.—The Presi-  
2           dent shall, not later than 45 calendar days before  
3           submitting a certification under paragraph (1)—

4                   (A) consult with the Committee on Ways  
5                   and Means of the House of Representatives and  
6                   the Committee on Finance of the Senate; and

7                   (B) submit to both such committees a re-  
8                   port that explains the basis for the determina-  
9                   tion of the President contained in such certifi-  
10                  cation.

11           (3) PRODUCTS OF THE RUSSIAN FEDERA-  
12           TION.—If the President submits pursuant to para-  
13           graph (1) a certification under subsection (c) with  
14           respect to the Russian Federation and a joint resolu-  
15           tion of disapproval is not enacted during the 90-day  
16           period described in that paragraph, the President  
17           may grant permanent nondiscriminatory tariff treat-  
18           ment (normal trade relations) to the products of the  
19           Russian Federation.

20           (4) PRODUCTS OF THE REPUBLIC OF  
21           BELARUS.—If the President submits pursuant to  
22           paragraph (1) a certification under subsection (c)  
23           with respect to the Republic of Belarus and a joint  
24           resolution of disapproval is not enacted during the  
25           90-day period described in that paragraph, the



1 President may, subject to the provisions of chapter  
2 1 of title IV of the Trade Act of 1974 (19 U.S.C.  
3 2431 et seq.), grant nondiscriminatory tariff treat-  
4 ment (normal trade relations) to the products of the  
5 Republic of Belarus.

6 (c) CERTIFICATION.—A certification under this sub-  
7 section is a certification in writing that—

8 (1) specifies the action proposed to be taken  
9 pursuant to the certification and whether such ac-  
10 tion is pursuant to subsection (a)(1) or (b)(1) of this  
11 section; and

12 (2) contains a determination of the President  
13 that the Russian Federation or the Republic of  
14 Belarus (or both)—

15 (A) has withdrawn its forces and ceased all  
16 acts of aggression against Ukraine;

17 (B) poses no immediate threat of aggres-  
18 sion to any North Atlantic Treaty Organization  
19 ally or partner; and

20 (C) recognizes a free and independent  
21 Ukraine, including with respect to the ability of  
22 its people to choose their own government.

23 (d) JOINT RESOLUTION OF DISAPPROVAL.—

1           (1) DEFINITION.—For purposes of this section,  
2           the term “joint resolution of disapproval” means  
3           only a joint resolution—

4                   (A) which does not have a preamble;

5                   (B) the title of which is as follows: “Joint  
6           resolution disapproving the President’s certifi-  
7           cation under section 5(c) of the Suspending  
8           Normal Trade Relations with Russia and  
9           Belarus Act.”; and

10                   (C) the matter after the resolving clause of  
11           which is as follows: “That Congress disapproves  
12           the certification of the President under section  
13           5(c) of the Suspending Normal Trade Relations  
14           with Russia and Belarus Act, submitted to Con-  
15           gress on \_\_\_\_\_”, the blank space being filled  
16           in with the appropriate date.

17           (2) INTRODUCTION IN THE HOUSE OF REP-  
18           RESENTATIVES.—During a period of 5 legislative  
19           days beginning on the date that a certification under  
20           section 5(c) is submitted to Congress, a joint resolu-  
21           tion of disapproval may be introduced in the House  
22           of Representatives by the majority leader or the mi-  
23           nority leader.

24           (3) INTRODUCTION IN THE SENATE.—During a  
25           period of 5 days on which the Senate is in session

1 beginning on the date that a certification under sec-  
2 tion 5(c) is submitted to Congress, a joint resolution  
3 of disapproval may be introduced in the Senate by  
4 the majority leader (or the majority leader's des-  
5 ignee) or the minority leader (or the minority lead-  
6 er's designee).

7 (4) FLOOR CONSIDERATION IN THE HOUSE OF  
8 REPRESENTATIVES.—

9 (A) REPORTING AND DISCHARGE.—If a  
10 committee of the House to which a joint resolu-  
11 tion of disapproval has been referred has not  
12 reported such joint resolution within 10 legisla-  
13 tive days after the date of referral, that com-  
14 mittee shall be discharged from further consid-  
15 eration thereof.

16 (B) PROCEEDING TO CONSIDERATION.—  
17 Beginning on the third legislative day after  
18 each committee to which a joint resolution of  
19 disapproval has been referred reports it to the  
20 House or has been discharged from further con-  
21 sideration thereof, it shall be in order to move  
22 to proceed to consider the joint resolution in the  
23 House. All points of order against the motion  
24 are waived. Such a motion shall not be in order  
25 after the House has disposed of a motion to

1 proceed on a joint resolution with regard to the  
2 same certification. The previous question shall  
3 be considered as ordered on the motion to its  
4 adoption without intervening motion. The mo-  
5 tion shall not be debatable. A motion to recon-  
6 sider the vote by which the motion is disposed  
7 of shall not be in order.

8 (C) CONSIDERATION.—The joint resolution  
9 shall be considered as read. All points of order  
10 against the joint resolution and against its con-  
11 sideration are waived. The previous question  
12 shall be considered as ordered on the joint reso-  
13 lution to final passage without intervening mo-  
14 tion except two hours of debate equally divided  
15 and controlled by the sponsor of the joint reso-  
16 lution (or a designee) and an opponent. A mo-  
17 tion to reconsider the vote on passage of the  
18 joint resolution shall not be in order.

19 (5) CONSIDERATION IN THE SENATE.—

20 (A) COMMITTEE REFERRAL.—A joint reso-  
21 lution of disapproval introduced in the Senate  
22 shall be referred to the Committee on Finance.

23 (B) REPORTING AND DISCHARGE.—If the  
24 Committee on Finance has not reported such  
25 joint resolution of disapproval within 10 days

1 on which the Senate is in session after the date  
2 of referral of such joint resolution, that com-  
3 mittee shall be discharged from further consid-  
4 eration of such joint resolution and the joint  
5 resolution shall be placed on the appropriate  
6 calendar.

7 (C) MOTION TO PROCEED.—Notwith-  
8 standing Rule XXII of the Standing Rules of  
9 the Senate, it is in order at any time after the  
10 Committee on Finance reports the joint resolu-  
11 tion of disapproval to the Senate or has been  
12 discharged from its consideration (even though  
13 a previous motion to the same effect has been  
14 disagreed to) to move to proceed to the consid-  
15 eration of the joint resolution, and all points of  
16 order against the joint resolution (and against  
17 consideration of the joint resolution) shall be  
18 waived. The motion to proceed is not debatable.  
19 The motion is not subject to a motion to post-  
20 pone. A motion to reconsider the vote by which  
21 the motion is agreed to or disagreed to shall not  
22 be in order. If a motion to proceed to the con-  
23 sideration of the joint resolution of disapproval  
24 is agreed to, the joint resolution shall remain  
25 the unfinished business until disposed of.

1           (D) DEBATE.—Debate on the joint resolu-  
2           tion of disapproval, and on all debatable mo-  
3           tions and appeals in connection therewith, shall  
4           be limited to not more than 10 hours, which  
5           shall be divided equally between the majority  
6           and minority leaders or their designees. A mo-  
7           tion to further limit debate is in order and not  
8           debatable. An amendment to, or a motion to  
9           postpone, or a motion to proceed to the consid-  
10          eration of other business, or a motion to recom-  
11          mit the joint resolution of disapproval is not in  
12          order.

13          (E) VOTE ON PASSAGE.—The vote on pas-  
14          sage shall occur immediately following the con-  
15          clusion of the debate on the joint resolution of  
16          disapproval and a single quorum call at the con-  
17          clusion of the debate, if requested in accordance  
18          with the rules of the Senate.

19          (F) RULES OF THE CHAIR ON PROCE-  
20          DURE.—Appeals from the decisions of the Chair  
21          relating to the application of the rules of the  
22          Senate, as the case may be, to the procedure re-  
23          lating to the joint resolution of disapproval shall  
24          be decided without debate.

1           (G) CONSIDERATION OF VETO MES-  
2 SAGES.—Debate in the Senate of any veto mes-  
3 sage with respect to the joint resolution of dis-  
4 approval, including all debatable motions and  
5 appeals in connection with such joint resolution,  
6 shall be limited to 10 hours, to be equally di-  
7 vided between, and controlled by, the majority  
8 leader and the minority leader or their des-  
9 ignees.

10          (6) PROCEDURES IN THE SENATE.—Except as  
11 otherwise provided in this subsection, the following  
12 procedures shall apply in the Senate to a joint reso-  
13 lution of disapproval to which this subsection ap-  
14 plies:

15           (A) Except as provided in subparagraph  
16 (B), a joint resolution of disapproval that has  
17 passed the House of Representatives shall,  
18 when received in the Senate, be referred to the  
19 Committee on Finance for consideration in ac-  
20 cordance with this subsection.

21           (B) If a joint resolution of disapproval to  
22 which this section applies was introduced in the  
23 Senate before receipt of a joint resolution of  
24 disapproval that has passed the House of Rep-  
25 resentatives, the joint resolution from the

1 House of Representatives shall, when received  
2 in the Senate, be placed on the calendar. If this  
3 subparagraph applies, the procedures in the  
4 Senate with respect to a joint resolution of dis-  
5 approval introduced in the Senate that contains  
6 the identical matter as the joint resolution of  
7 disapproval that passed the House of Rep-  
8 resentatives shall be the same as if no joint res-  
9 olution of disapproval had been received from  
10 the House of Representatives, except that the  
11 vote on passage in the Senate shall be on the  
12 joint resolution of disapproval that passed the  
13 House of Representatives.

14 (7) RULES OF THE HOUSE OF REPRESENTA-  
15 TIVES AND SENATE.—This subsection is enacted by  
16 Congress—

17 (A) as an exercise of the rulemaking power  
18 of the Senate and the House of Representa-  
19 tives, respectively, and as such are deemed a  
20 part of the rules of each House, respectively,  
21 but applicable only with respect to the proce-  
22 dure to be followed in that House in the case  
23 of legislation described in those sections, and  
24 supersede other rules only to the extent that  
25 they are inconsistent with such rules; and



1 (B) with full recognition of the constitu-  
2 tional right of either House to change the rules  
3 (so far as relating to the procedure of that  
4 House) at any time, in the same manner, and  
5 to the same extent as in the case of any other  
6 rule of that House.

7 **SEC. 6. COOPERATION AND ACCOUNTABILITY AT THE**  
8 **WORLD TRADE ORGANIZATION.**

9 The United States Trade Representative shall use the  
10 voice and influence of the United States at the WTO to—

11 (1) condemn the recent aggression in Ukraine;

12 (2) encourage other WTO members to suspend  
13 trade concessions to the Russian Federation and the  
14 Republic of Belarus;

15 (3) consider further steps with the view to sus-  
16 pend the Russian Federation's participation in the  
17 WTO; and

18 (4) seek to halt the accession process of the Re-  
19 public of Belarus at the WTO and cease accession-  
20 related work.

21 **SEC. 7. REAUTHORIZATION OF GLOBAL MAGNITSKY**  
22 **HUMAN RIGHTS ACCOUNTABILITY ACT.**

23 Section 1265(a) of the Global Magnitsky Human  
24 Rights Accountability Act (subtitle F of title XII of Public

1 Law 114–328; 22 U.S.C. 2656 note) is amended by strik-  
2 ing “6 years” and inserting “12 years”.

3 **SEC. 8. ENERGY SECURITY PLAN.**

4 The Natural Gas Act is amended by inserting after  
5 section 3A (15 U.S.C. 717b–1) the following:

6 “ENERGY SECURITY PLAN

7 “SEC. 3B. Not later than 30 days after the date of  
8 enactment of this section, and biennially thereafter, the  
9 President shall transmit to Congress an energy security  
10 plan which shall include—

11 “(1) an evaluation of United States crude oil,  
12 petroleum product, and natural gas imports and ex-  
13 ports;

14 “(2) an energy security risk assessment, by  
15 country of origin, of importing crude oil, petroleum  
16 products, and natural gas to the United States; and

17 “(3) strategies, including changes to Federal  
18 policies and regulations, to encourage increased do-  
19 mestic production of crude oil, petroleum products,  
20 and natural gas in order to offset any amounts of  
21 crude oil, petroleum products, and natural gas im-  
22 ported to the United States from Russia.”.

23 **SEC. 9. KEYSTONE XL AUTHORIZATION.**

24 (a) AUTHORIZATION.—TransCanada Keystone Pipe-  
25 line, L.P., may construct, connect, operate, and maintain  
26 the pipeline facilities at the international border of the

1 United States and Canada at Phillips County, Montana,  
2 for the import of oil from Canada to the United States  
3 described in the Presidential Permit of March 29, 2019  
4 (84 Fed. Reg. 13101).

5 (b) NO PRESIDENTIAL PERMIT REQUIRED.—No  
6 Presidential permit (or similar permit) under Executive  
7 Order 13867 (3 U.S.C. 301 note; relating to the issuance  
8 of permits with respect to facilities and land transpor-  
9 tation crossings at the international boundaries of the  
10 United States), Executive Order 12038 (42 U.S.C. 7151  
11 note; relating to the transfer of certain functions to the  
12 Secretary of Energy), Executive Order 10485 (15 U.S.C.  
13 717b note; relating to the performance of functions re-  
14 specting electric power and natural gas facilities located  
15 on United States borders), or any other Executive order  
16 shall be required for the construction, connection, oper-  
17 ation, or maintenance of the pipeline facilities described  
18 in subsection (a).

19 **SEC. 10. ADVANCING UNITED STATES GLOBAL LEADER-**  
20 **SHIP.**

21 Section 3 of the Natural Gas Act (15 U.S.C. 717b)  
22 is amended—

23 (1) by striking subsections (a) through (c);

24 (2) by redesignating subsections (e) and (f) as  
25 subsections (a) and (b), respectively;

1           (3) by redesignating subsection (d) as sub-  
2           section (e), and moving such subsection after sub-  
3           section (b), as so redesignated;

4           (4) in subsection (a), as so redesignated, by  
5           amending paragraph (1) to read as follows: “(1) The  
6           Commission shall have the exclusive authority to ap-  
7           prove or deny an application for the siting, construc-  
8           tion, expansion, or operation of a facility to export  
9           natural gas from the United States to a foreign  
10          country or import natural gas from a foreign coun-  
11          try, including an LNG terminal. Except as specifi-  
12          cally provided in this Act, nothing in this Act is in-  
13          tended to affect otherwise applicable law related to  
14          any Federal agency’s authorities or responsibilities  
15          related to facilities to import or export natural gas,  
16          including LNG terminals.”; and

17          (5) by adding at the end the following new sub-  
18          section:

19          “(d)(1) Nothing in this Act limits the authority of  
20          the President under the Constitution, the International  
21          Emergency Economic Powers Act (50 U.S.C. 1701 et  
22          seq.), the National Emergencies Act (50 U.S.C. 1601 et  
23          seq.), part B of title II of the Energy Policy and Conserva-  
24          tion Act (42 U.S.C. 6271 et seq.), the Trading With the  
25          Enemy Act (50 U.S.C. 4301 et seq.), or any other provi-

1 sion of law that imposes sanctions on a foreign person or  
2 foreign government (including any provision of law that  
3 prohibits or restricts United States persons from engaging  
4 in a transaction with a sanctioned person or government),  
5 including a country that is designated as a state sponsor  
6 of terrorism, to prohibit imports or exports.

7 “(2) In this subsection, the term ‘state sponsor of ter-  
8 rorism’ means a country the government of which the Sec-  
9 retary of State determines has repeatedly provided sup-  
10 port for international terrorism pursuant to—

11 “(A) section 1754(c)(1)(A) of the Export Con-  
12 trol Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

13 “(B) section 620A of the Foreign Assistance  
14 Act of 1961 (22 U.S.C. 2371);

15 “(C) section 40 of the Arms Export Control Act  
16 (22 U.S.C. 2780); or

17 “(D) any other provision of law.”

18 **SEC. 11. PROHIBITION ON MORATORIA OF NEW ENERGY**  
19 **LEASES ON CERTAIN FEDERAL LAND AND ON**  
20 **WITHDRAWAL OF FEDERAL LAND FROM EN-**  
21 **ERGY DEVELOPMENT.**

22 (a) DEFINITIONS.—In this section:

23 (1) CRITICAL MINERAL.—The term “critical  
24 mineral” means any mineral included on the list of  
25 critical minerals published in the notice of the Sec-

1       retary of the Interior entitled “Final List of Critical  
2       Minerals 2018” (83 Fed. Reg. 23295 (May 18,  
3       2018)).

4               (2) FEDERAL LAND.—

5                   (A) IN GENERAL.—The term “Federal  
6       land” means—

7                           (i) National Forest System land;

8                           (ii) public lands (as defined in section  
9       103 of the Federal Land Policy and Man-  
10      agement Act of 1976 (43 U.S.C. 1702));

11                          (iii) the outer Continental Shelf (as  
12      defined in section 2 of the Outer Conti-  
13      nental Shelf Lands Act (43 U.S.C. 1331));

14                          and

15                          (iv) land managed by the Secretary of  
16      Energy.

17                   (B) INCLUSION.—The term “Federal  
18      land” includes land described in clauses (i)  
19      through (iv) of subparagraph (A) for which the  
20      rights to the surface estate or subsurface estate  
21      are owned by a non-Federal entity.

22               (3) PRESIDENT.—The term “President” means  
23      the President or any designee, including—

24                           (A) the Secretary of Agriculture;

25                           (B) the Secretary of Energy; and

1 (C) the Secretary of the Interior.

2 (b) PROHIBITIONS.—

3 (1) IN GENERAL.—Notwithstanding any other  
4 provision of law, the President shall not carry out  
5 any action that would prohibit or substantially delay  
6 the issuance of any of the following on Federal land,  
7 unless such an action has been authorized by an Act  
8 of Congress:

9 (A) New oil and gas leases, drill permits,  
10 approvals, or authorizations.

11 (B) New coal leases, permits, approvals, or  
12 authorizations.

13 (C) New hard rock leases, permits, approv-  
14 als, or authorizations.

15 (D) New critical minerals leases, permits,  
16 approvals, or authorizations.

17 (2) PROHIBITION ON WITHDRAWAL.—Notwith-  
18 standing any other provision of law, the President  
19 shall not withdraw any Federal land from forms of  
20 entry, appropriation, or disposal under the public  
21 land laws, location, entry, and patent under the min-  
22 ing laws, or disposition under laws pertaining to  
23 mineral and geothermal leasing or mineral materials  
24 unless the withdrawal has been authorized by an Act  
25 of Congress.

1 **SEC. 12. OIL AND NATURAL GAS LEASING.**

2 (a) ONSHORE LEASE SALES.—

3 (1) REQUIREMENT TO IMMEDIATELY RESUME  
4 ONSHORE OIL AND GAS LEASE SALES.—

5 (A) IN GENERAL.—The Secretary of the  
6 Interior (referred to in this Act as the “Sec-  
7 retary”) shall immediately resume oil and gas  
8 lease sales in compliance with the Mineral Leas-  
9 ing Act (30 U.S.C. 181 et seq.).

10 (B) REQUIREMENT.—The Secretary shall  
11 ensure that any oil and gas lease sale under  
12 subparagraph (A) is conducted immediately on  
13 completion of all applicable scoping, public com-  
14 ment, and environmental analysis requirements  
15 under the Mineral Leasing Act (30 U.S.C. 181  
16 et seq.) and the National Environmental Policy  
17 Act of 1969 (42 U.S.C. 4321 et seq.).

18 (2) ANNUAL LEASE SALES.—

19 (A) IN GENERAL.—Notwithstanding any  
20 other provision of law, in accordance with the  
21 Mineral Leasing Act (30 U.S.C. 181 et seq.),  
22 beginning in fiscal year 2022, the Secretary  
23 shall conduct a minimum of 4 oil and natural  
24 gas lease sales annually in each of the following  
25 States:

26 (i) Wyoming.



- 1 (ii) New Mexico.  
2 (iii) Colorado.  
3 (iv) Utah.  
4 (v) Montana.  
5 (vi) North Dakota.  
6 (vii) Oklahoma.  
7 (viii) Nevada.  
8 (ix) Any other State in which there is  
9 land available for oil and natural gas leas-  
10 ing under that Act.

11 (B) REQUIREMENT.—In conducting a lease  
12 sale under subparagraph (A) in a State de-  
13 scribed in that subparagraph, the Secretary  
14 shall offer all parcels eligible for oil and gas de-  
15 velopment under the resource management plan  
16 in effect for the State.

17 (C) REPLACEMENT SALES.—If, for any  
18 reason, a lease sale under subparagraph (A) for  
19 a calendar year is canceled, delayed, or de-  
20 ferred, including for a lack of eligible parcels,  
21 the Secretary shall conduct a replacement sale  
22 during the same calendar year.

23 (b) OFFSHORE LEASE SALES.—

24 (1) IN GENERAL.—The Secretary shall conduct  
25 all lease sales described in the 2017–2022 Outer

1 Continental Shelf Oil and Gas Leasing Proposed  
2 Final Program (November 2016) that have not been  
3 conducted as of the date of enactment of this Act by  
4 not later than December 31, 2022.

5 (2) GULF OF MEXICO REGION ANNUAL LEASE  
6 SALES.—Notwithstanding any other provision of law,  
7 beginning in fiscal year 2022, the Secretary shall  
8 conduct a minimum of 2 region-wide oil and natural  
9 gas lease sales annually in the Gulf of Mexico Re-  
10 gion of the outer Continental Shelf, which shall in-  
11 clude the following areas described the 2017–2022  
12 Outer Continental Shelf Oil and Gas Leasing Pro-  
13 posed Final Program (November 2016):

14 (A) The Central Gulf of Mexico Planning  
15 Area.

16 (B) The Western Gulf of Mexico Planning  
17 Area.

18 (3) ALASKA REGION ANNUAL LEASE SALES.—  
19 Notwithstanding any other provision of law, begin-  
20 ning in fiscal year 2022, the Secretary shall conduct  
21 a minimum of 2 region-wide oil and natural gas  
22 lease sales annually in the Alaska Region of the  
23 outer Continental Shelf, as described the 2017–2022  
24 Outer Continental Shelf Oil and Gas Leasing Pro-  
25 posed Final Program (November 2016).

1           (4) REQUIREMENTS.—In conducting lease sales  
2           under paragraphs (2) and (3) the Secretary shall—

3                   (A) issue leases to the highest responsible  
4                   qualified bidder or bidders; and

5                   (B) include in each lease sale all unleased  
6                   areas that are not subject to restrictions as of  
7                   the date of the lease sale.

8           (5) OUTER CONTINENTAL SHELF OIL AND GAS  
9           LEASING PROGRAM.—Section 18 of the Outer Conti-  
10          nental Shelf Lands Act (43 U.S.C. 1344) is amend-  
11          ed—

12                   (A) in subsection (a), in the first sentence  
13                   of the matter preceding paragraph (1), by strik-  
14                   ing “subsections (c) and (d) of this section”  
15                   and inserting “subsections (c) through (f)”;

16                   (B) by redesignating subsections (f)  
17                   through (h) as subsections (g) through (i), re-  
18                   spectively; and

19                   (C) by inserting after subsection (e) the  
20                   following:

21          “(f) SUBSEQUENT LEASING PROGRAMS.—

22                   “(1) IN GENERAL.—Not later than 36 months  
23                   after conducting the first lease sale under an oil and  
24                   gas leasing program prepared pursuant to this sec-  
25                   tion, the Secretary shall begin preparing the subse-

1       quent oil and gas leasing program under this sec-  
2       tion.

3               “(2) REQUIREMENT.—Each subsequent oil and  
4       gas leasing program under this section shall be ap-  
5       proved not later than 180 days before the expiration  
6       of the previous oil and gas leasing program.”.

7       **SEC. 13. STRATEGIC PRODUCTION RESPONSE PLAN.**

8       Section 161 of the Energy Policy and Conservation  
9       Act (42 U.S.C. 6241) is amended by adding at the end  
10      the following new subsection:

11      “(k) PLAN.—

12               “(1) IN GENERAL.—Except in the case of a se-  
13      vere energy supply interruption described in sub-  
14      section (d), the Secretary may not execute the first  
15      drawdown of petroleum products in the Reserve  
16      after the date of enactment of this subsection,  
17      whether through sale, exchange, or loan, until the  
18      Secretary has developed a plan to increase the per-  
19      centage of Federal lands (including submerged lands  
20      of the Outer Continental Shelf) under the jurisdic-  
21      tion of the Secretary of Agriculture, the Secretary of  
22      Energy, the Secretary of the Interior, and the Sec-  
23      retary of Defense leased for oil and gas production  
24      by the same percentage as the percentage of petro-  
25      leum in the Strategic Petroleum Reserve that is to

1 be drawn down in that first and subsequent  
2 drawdowns, subject to the limitation under para-  
3 graph (2).

4 “(2) LIMITATION.—The plan required by para-  
5 graph (1) shall not provide for a total increase in  
6 the percentage of Federal lands described in para-  
7 graph (1) leased for oil and gas production in excess  
8 of 10 percent.

9 “(3) CONSULTATION.—The Secretary shall pre-  
10 pare the plan required by paragraph (1) in consulta-  
11 tion with the Secretary of Agriculture, the Secretary  
12 of the Interior, and the Secretary of Defense.”

