PROTECTING OUR PUBLIC USE, LANDS, ACCESS, AND RECREATION

(POPULAR) ACT

Keeping America's public lands open and accessible

Keeping communities strong and preserving our outdoor heritage

Explainer: Protecting America's Greatest Asset

"America the Beautiful" isn't just a song. It's a responsibility.

America's public lands are one of our greatest inheritances — and one of our smartest investments.

They power a $1.1 trillion outdoor recreation economy, supporting more than five million jobs across every corner of the country. From rural towns and gateway communities to gear shops, outfitters, and lodging, the jobs they create are local, stable, and lasting — unlike the boom-and-bust cycles of extractive industries. These lands are worth far more intact than heedlessly mined or logged. Used wisely, they provide income forever.

They also safeguard the essentials of American life: clean drinking water, breathable air, healthy forests, and resilient ecosystems. They are our national cathedral and our lungs. The envy of the world. People travel from around the globe to witness the vastness, beauty, and freedom that only America's public lands can offer. Towering forests, unspoiled rivers, rugged deserts, and wide open skies — these are the places that define us.

We have managed these lands with care for over a century — not because it was easy, but because it was right. Leaders from both parties recognized that public lands are a trust, passed down from one generation to the next. They understood that these places can support jobs and livelihoods without being stripped of their value or their beauty. That wise stewardship, not short-term exploitation, is what keeps these lands productive, accessible, and intact for future generations.

The **Protecting Our Public Use Lands Access and Recreation or POPULAR Act** restores that shared understanding. It reaffirms that our national parks, forests, refuges, and public lands must be managed in the national interest — for current and future generations. It rolls back the emergency waivers, leasing mandates, and backroom carve-outs that have endangered our most iconic landscapes and undermined longstanding environmental safeguards. And it ensures that no president, of either party, can undo a century of bipartisan conservation with the stroke of a pen.

This bill isn't radical. It's a return to sanity. It simply ensures that the legacy we inherited — one of beauty, access, and freedom — will still be here for our kids and grandkids. As Theodore Roosevelt once said, "Our duty to the whole, including the unborn generations, bids us to restrain an unprincipled present-day minority from wasting the heritage of these unborn generations."

This is a defining issue for our time — and one of the few where Americans still agree. From ruby-red rural states to our biggest cities, the vast majority of Americans want their public lands protected. They want clean water, healthy wildlife, and natural beauty left intact. They want their children to grow up with the same opportunities to hunt, fish, hike, and roam as they had. And they believe, like generations before them, that some places are simply too special to destroy.

That's the promise this amendment keeps. If we fail to pass it, that promise dies with us.

Highlights of the POPULAR Act

- **Protects public lands without spending a single penny.**
  No new programs. No budget gimmicks. Just common-sense safeguards for the places Americans already own.

- **Blocks the fire sale of public lands.**
  No more giveaways to mining, timber, and oil companies. Public lands stay in public hands.

- **Protects the people who care for our public lands.**
  Ensures our national parks, forests, and wildlife refuges remain staffed by the dedicated professionals who keep them safe, accessible, and thriving — now and for future generations.

- **Restores bedrock environmental protections.**
  Ensures the National Environmental Policy Act and Endangered Species Act are enforced as they were intended.

- **Defends the American outdoor economy.**
  Preserves the $1.1 trillion outdoor recreation economy and over 5 million American jobs it supports — jobs that exist in every single state.

- **Guarantees local access and rural livelihoods.**
  Protects the landscapes that sustain hunting, fishing, tourism, and gateway communities across the country.

- **Restores public oversight and accountability.**
  Ends the abuse of emergency powers that let presidents bypass environmental review and public input. Ensures the American people — not political appointees or special interests — have a say in what happens to their public lands.

- **Protects America's rarest wildlife.**
  Restores science-based safeguards to ensure iconic native species aren't driven to extinction by politics or neglect.

- **Restores common-sense land management.**
  Ends reckless leasing mandates that put polluters ahead of taxpayers and forced drilling or mining even when it wasted money, threatened clean water, or made no sense for local communities.

- **Enshrines bipartisan conservation principles.**
  Upholds the legacy of Theodore Roosevelt by affirming that public lands belong to all Americans — not private interests.

- **Protects clean water, air, and wildlife habitat.**
  Preserves the natural systems that keep our people healthy, our water drinkable, and our country beautiful.

- **Prevents future abuse by any administration.**
  Ensures no president can dismantle a century of conservation with the stroke of a pen.

PROTECTING OUR PUBLIC USE, LANDS, ACCESS, AND RECREATION ACT

A legislative amendment for inclusion in the FY26 Appropriations Bill

Table of Contents

SECTION 1. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) Findings.— Congress finds and declares that—

(1) the public lands, waters, wildlife, and cultural resources of the United States are of significant and irreplaceable value to the Nation's environmental health, economic vitality, cultural heritage, and quality of life;
(2) these resources have been, and remain, subject to actions that weaken or circumvent statutory protections, including through the use of emergency authorities, reinterpretations of law, and administrative measures;
(3) existing environmental laws and implementing regulations have, in certain instances, proven susceptible to misinterpretation, neglect, or modification in ways inconsistent with their text, structure, and long-standing application;
(4) it is in the public interest to reaffirm, restore, and strengthen statutory protections for these resources, and to ensure their consistent interpretation and enforcement; and
(5) the purpose of this Act is to provide clear, durable, and enforceable safeguards for public lands and related resources, and to limit the use of waivers, re-interpretations, or administrative actions to alter such safeguards except as expressly authorized by a subsequent Act of Congress.

(b) Purpose.— The purposes of this Act are—

1. to restore and make permanent core environmental protections that have been weakened or repealed;

2. to reaffirm the primacy of congressional authority over the disposition, management, and protection of public lands, waters, and resources;

3. to ensure that statutory environmental protections cannot be waived, suspended, or diminished by executive action absent explicit congressional authorization;

4. to nullify and repeal recent statutory and administrative actions inconsistent with these purposes;

5. to preserve the ability of the public and the courts to hold the government accountable for compliance with environmental laws; and

6. to ensure that this Act is interpreted to achieve these purposes and to prevent any circumvention, evasion, or diminishment of its protections.

(c) Rule of Construction.— The provisions of this Act shall be construed broadly to effectuate its purposes. Exceptions and limitations shall be construed narrowly, and no exception or limitation shall be implied unless expressly provided in this Act.

SECTION 2. SHORT TITLE

This Act may be cited as the **"Protecting Our Public Use Lands, Access, and Recreation Act"** or the **"POPULAR Act."**

SECTION 3. — PROHIBITION ON DISPOSAL OR DOWNGRADING OF FEDERAL LANDS

(a) **General Prohibition.** — Notwithstanding any other provision of law, enacted before or after the date of enactment of this Act, no officer, employee, or agency of the United States shall sell, exchange, transfer, convey, relinquish, lease, downgrade, withdraw from protected status, or otherwise dispose of any lands, or any interest therein, administered by—
(1) the National Park Service;
(2) the Bureau of Land Management;
(3) the United States Fish and Wildlife Service; or
(4) the United States Forest Service,
except as expressly and specifically authorized by an Act of Congress enacted after the date of enactment of this Act.

(b) **Covered Actions.** — The prohibition in subsection (a) includes—
(1) any change in designation or status of a unit, wilderness area, national monument, wildlife refuge, or roadless area that would reduce its legal protections;
(2) any grant of patent, easement, permit, lease, or other interest that diminishes Federal ownership, access, or management authority; and
(3) any transfer of administrative jurisdiction to another Federal agency, a State, an Indian Tribe, a local government, or a private entity.

(c) **Interpretation.** — Nothing in this section shall be construed to—
(1) prohibit lawful voluntary acquisitions of land or conservation easements that increase Federal holdings;
(2) invalidate legally binding rights-of-way or access easements established before the date of enactment of this Act; or
(3) restrict routine boundary adjustments of fewer than 10 acres undertaken for administrative efficiency, provided that—
(A) such adjustments are required by law or settlement agreement; or
(B) such adjustments are undertaken in exchange for equal or greater conservation value and are expressly approved by the Secretary concerned after public notice and comment.

(d) **Supremacy Clause.** — This section supersedes any conflicting provision of law, regulation, proclamation, memorandum, or executive order, whether issued before or after the date of enactment of this Act, unless such authority is granted expressly and specifically by a subsequent Act of Congress.

SECTION 4. PROHIBITION ON TRANSFER OF MANAGEMENT AUTHORITY

(a) **General Prohibition.** — Notwithstanding any other provision of law, enacted before or after the date of enactment of this Act, no officer, employee, or agency of the United States shall enter into any new agreement, memorandum of understanding, cooperative agreement, or contract that assigns, delegates, or transfers the operational control or primary management authority of any

lands administered by—
(1) the National Park Service;
(2) the United States Forest Service;
(3) the Bureau of Land Management; or
(4) the United States Fish and Wildlife Service,
to any State, local, Tribal, or private entity.

(b) **Covered Delegations.** — The prohibition in subsection (a) includes any delegation of—
(1) park or unit operations, fee collection, staffing, maintenance, enforcement, permitting, or visitor services;
(2) land use decision-making, resource extraction approvals, or environmental review responsibilities; or
(3) authority to regulate public access or recreation.

(c) **Exceptions.** — This section does not apply to—
(1) existing, legally executed agreements in effect as of August 1, 2025, including—
(A) Tribal co-stewardship arrangements;
(B) cooperative management with gateway communities; and
(C) volunteer agreements, interpretive partnerships, or nonprofit visitor services; and
(2) scientific research partnerships, temporary special use permits, or law enforcement mutual aid agreements, provided that such arrangements do not convey control over land management decisions.

(d) **Modifications or Renewals.** — Any modification, extension, or renewal of an agreement described in subsection (c) that would result in a de facto delegation of primary management authority shall be treated as a prohibited new agreement under this section.

(e) **Federal Stewardship Obligations.** — This section shall be construed to preserve the Federal Government's nondelegable trust and stewardship obligations and may not be waived by executive order, proclamation, or administrative action.

SECTION 5. PROHIBITION ON REVOCATION OR REDUCTION OF NATIONAL MONUMENTS

(a) Legislative Purpose. — Congress finds and declares that national monuments designated under the Antiquities Act of 1906 preserve irreplaceable natural, cultural, and historic resources of national significance. The Constitution vests in Congress the exclusive authority to dispose of or diminish federal lands, and unilateral executive reductions of monument boundaries or protections undermine both the Antiquities Act's conservation purpose and Congress's constitutional prerogatives. It is therefore the purpose of this section to prohibit the reduction, diminishment, or weakening of protections for any national monument except by an Act of Congress enacted after the date of such designation, while preserving the President's authority under the Antiquities Act to enlarge or further protect designated areas.

(b) Limitation on Presidential Authority.
Notwithstanding the Antiquities Act of 1906 (54 U.S.C. §§ 320301 et seq.) or any other provision of law, no President, executive agency, or officer of the United States shall revoke, diminish, rescind, reduce, or otherwise alter the boundaries, management protections, or designated purposes of any national monument established under the Antiquities Act, except:

1. To expand the boundaries of an existing monument for the purpose of additional protection; or

2. Pursuant to an express authorization enacted by Congress after the date of enactment of this Act.

(c) Preservation of Legal Status.
All national monuments designated prior to the enactment of this Act are hereby reaffirmed in their entirety, including all boundaries, objects of historic or scientific interest, and associated management directives as published at the time of designation or as lawfully expanded thereafter.

(d) Prohibition on Circumvention.
No reinterpretation of the Antiquities Act, delegation of executive authority, budgetary withholding, or agency rulemaking shall be construed to authorize the suspension, undermining, or defunding of monument protections in circumvention of this section.

SECTION 6. PERMANENT WITHDRAWAL OF BOUNDARY WATERS WATERSHED FROM MINERAL AND ENERGY LEASING

(a) Legislative Purpose. — Congress finds and declares that the lands and waters of the Rainy River Watershed, including those within and surrounding the Boundary Waters Canoe Area Wilderness, constitute an irreplaceable ecological, cultural, and economic resource of national significance. Decades of peer-reviewed scientific studies have demonstrated that sulfide-ore copper mining and similar extractive activities within this watershed pose an unacceptable and irreversible risk to water quality, aquatic ecosystems, wilderness character, and downstream communities. It is therefore the purpose of this section to provide permanent protection for these lands and waters from mineral exploration and development, in order to preserve their existing uses, ecological integrity, and public enjoyment for present and future generations.

(b) Permanent Withdrawal.
All federally owned lands and federally controlled mineral interests located within the Rainy River Watershed, encompassing portions of Cook, Lake, and Saint Louis Counties, Minnesota, are hereby permanently withdrawn from:

1. Entry, location, or patent under the general mining laws (30 U.S.C. Chapter 2);

2. Leasing under the Mineral Leasing Act (30 U.S.C. Chapter 3A);

3. Leasing under the Geothermal Steam Act of 1970 (30 U.S.C. Chapter 23); and

4. Any other law or administrative authority providing for the disposition, sale, exchange, or transfer of federal mineral or geothermal interests.

(c) Revocation of Existing Leases.
Any lease, license, permit, or claim for the exploration or development of mineral or geothermal resources on lands described in subsection (a), including those issued prior to the date of enactment of this Act, is hereby nullified and of no further force or effect.

(d) Scope of Application.
This section shall apply to all surface and subsurface estates under federal jurisdiction, including split-estate lands, regardless of whether surface management is vested in the Bureau of Land Management, U.S. Forest Service, or another federal agency.

(e) No Exception.
This withdrawal shall not be subject to reversal, modification, or exemption by executive order, proclamation, memorandum, or reorganization plan, and may only be amended or repealed by an Act of Congress.

(f) Supersession. — The protections set forth in this section shall apply notwithstanding any other provision of law, and may be diminished only by an Act of Congress enacted after the date of enactment of this Act that expressly refers to this section.

SECTION 7. PROTECTION OF NATIONAL FOREST ROADLESS AREAS

(a) Codification of Roadless Rule Protections.
The protections established under the Roadless Area Conservation Rule (66 Fed. Reg. 3244, January 12, 2001), as applied to Inventoried Roadless Areas (IRAs) on National Forest System lands, are hereby enacted into federal statute and shall remain in full force and effect.

(b) Prohibition on Road Construction and Timber Harvest.
No road construction, reconstruction, or commercial timber harvest shall be permitted within any Inventoried Roadless Area, except where:
(1) Required for immediate public safety or emergency response; and
(2) Authorized by site-specific analysis subject to the National Environmental Policy Act (NEPA) and judicial review.

(c) Applicability.
This section applies to:
(1) All Inventoried Roadless Areas identified in the Final Roadless Rule Environmental Impact Statement (2001); and
(2) Any subsequent areas designated as roadless by the Forest Service through a forest plan revision, land management planning rule, or other lawful public process.

(d) Preemption of State Exceptions.
Any state-specific roadless rule, waiver, substitution, or exemption — including but not limited to the Alaska Roadless Rule (85 Fed. Reg. 68688, Oct. 29, 2020) — is hereby repealed and shall have no legal force or effect if it reduces the protections established by this section.

(e) Revocation of Incompatible Leases and Authorizations.
Any lease, permit, right-of-way, or project approval issued on or after January 20, 2025, that authorizes road construction, timber harvest, or surface-disturbing activity within an Inventoried Roadless Area in violation of this section is hereby revoked.
No compensation or damages shall be owed for such revocation.

(f) Supersession. — The protections set forth in this section shall apply notwithstanding any other provision of law, and may be diminished only by an Act of Congress enacted after the date of enactment of this Act that expressly refers to this section.

SECTION 8. NULLIFICATION OF TIMBER MANDATES AND RESTORATION OF ENVIRONMENTAL COMPLIANCE

(a) **Repeal of Timber Provisions in Reconciliation Act.** — Notwithstanding any other provision of law, all sections of the *Consolidated Republican Reconciliation Act of 2025* that—
(1) require, authorize, or direct the Department of the Interior, the United States Forest Service, or the Bureau of Land Management to offer or execute timber sales, salvage logging contracts, mechanical thinning operations, or road construction on Federal lands;
(2) establish production targets based on board feet, acreage, or other output measures; or
(3) exempt forest management actions from judicial review, public participation, or environmental analysis,
are hereby repealed and shall have no force or effect.

(b) **Rescission of Contracts and Authorizations. —** Any timber sale contract, salvage logging agreement, mechanical thinning authorization, road construction contract, or other binding agreement issued, executed, or approved pursuant to any authority repealed under subsection (a) is hereby rescinded, revoked, and rendered without legal force or effect as of the date of enactment of this Act. No rights, claims, or damages shall accrue to any party by reason of such rescission, except for the return of any consideration paid prior to performance.

(c) **Environmental Compliance.** — All timber harvests, salvage sales, mechanical treatments, thinning operations, and related road construction on Federal lands shall comply with—
(1) the National Environmental Policy Act of 1969, as restored and implemented under section 12 of this Act; and
(2) all other applicable environmental laws, including the Endangered Species Act of 1973.

(d) **Prohibition on Alternate Frameworks or Emergency Bypass.** — No Federal agency may establish or utilize any alternate approval process, categorical exclusion, expedited authority, emergency determination, or waiver that—
(1) circumvents or replaces the standard process required under section 12 of this Act;

(2) limits the scope of public comment or environmental analysis; or
(3) binds agency action to pre-set outputs or targets without case-by-case review.

(e) **Supersession Clause.** — This section supersedes any statute, regulation, agency rule, lease term, or contract provision that—
(1) mandates minimum annual timber harvests;
(2) shields logging or thinning operations from judicial review; or
(3) eliminates or weakens environmental compliance requirements for forest management.

SECTION 9. PROTECTION OF FEDERAL LANDS FROM UNLEASED COAL EXTRACTION

(a) **Legislative Purpose.** — Congress finds and declares that extraction of coal or other solid minerals from Federal lands without a valid lease undermines environmental protections, public trust responsibilities, and the sustainable management of public resources. Recent legislative and administrative actions have attempted to bypass established leasing processes, environmental review, and public participation, enabling projects that cause lasting environmental harm without adequate safeguards. It is the purpose of this section to prohibit such activities, restore lawful leasing practices, and ensure that all coal development on Federal lands complies fully with applicable environmental laws.

(b) **No Extraction Without Lease.** — No coal or other solid mineral resource may be extracted, mined, or otherwise removed from any lands administered by the Bureau of Land Management, the United States Forest Service, or any other Federal agency unless—
(1) conducted pursuant to a valid Federal lease issued under the Mineral Leasing Act (30 U.S.C. §§ 181 et seq.);
(2) that lease was in effect prior to August 1, 2025; and
(3) the project complies fully with section 12 of this Act and all other applicable environmental laws.

(c) **Prohibition on Forced Production and Bypass Authority.** — No officer or employee of the United States shall be required, directed, or authorized to—
(1) ensure, maintain, or achieve any specific level of coal production from Federal lands;
(2) enter into any contract, lease, or development plan that bypasses section 12 of this Act, the Endangered Species Act of 1973, the Federal Land Policy and Management Act of 1976, or any law requiring public participation, tribal consultation, or environmental analysis; or
(3) approve any application or plan that is insulated from judicial review or administrative appeal.

(d) **No Reinstatement or Revived Leases.** — Any provision of law, regulation, or executive order that purports to—
(1) reinstate, revive, or extend a previously canceled, expired, or inactive coal lease;
(2) preclude judicial or administrative review of any lease or coal approval; or
(3) require automatic lease renewal or lease continuation,
is hereby nullified and shall have no force or effect.

(e) **Supersession of Reconciliation Act Provisions.** — All coal-related provisions of the *Consolidated Republican Reconciliation Act of 2025* are hereby repealed and superseded, including any section that—
(1) requires new coal leasing in specified regions or timeframes;
(2) eliminates or restricts compliance with section 12 of this Act or other environmental laws; or
(3) mandates Federal contracts, production targets, or lease approvals related to coal development.

SECTION 10. NULLIFICATION OF OIL AND GAS LEASING MANDATES

(a) **Legislative Purpose.** — Congress finds and declares that recent laws and administrative actions have sought to compel oil and gas leasing and development on Federal lands and waters without adequate environmental review, public participation, or agency discretion. Such mandates undermine the principles of multiple-use management, long-term conservation, and the public's right to a transparent process. It is the purpose of this section to restore lawful agency discretion in leasing decisions, ensure that environmental safeguards are fully applied, and nullify provisions that mandate production or bypass statutory review.

(b) **Restoration of Agency Discretion.** — Notwithstanding any provision of the *Consolidated Republican Reconciliation Act of 2025* or any other law, the Secretary of the Interior shall retain full and exclusive discretion to—
(1) offer, defer, or cancel any oil or gas lease sale;
(2) approve, deny, or take no action on any application for permit to drill (APD); and
(3) reinstate, suspend, or terminate any previously issued lease.
No person or entity shall have a right to compel the offering, issuance, reinstatement, or development of any Federal oil or gas lease.

(c) **Reaffirmation of Statutory and Environmental Safeguards.** — No lease may be issued, reinstated, or approved except—
(1) in full compliance with the Mineral Leasing Act (30 U.S.C. § 181 et seq.);
(2) subject to the requirements of section 12 of this Act and all other applicable environmental laws; and
(3) in accordance with all public notice, comment, and consultation requirements provided by law.

(d) **Supersession Clause.** — This section supersedes any statute, regulation, lease term, court order, or provision of the *Consolidated Republican Reconciliation Act of 2025* that purports to—
(1) require a specific number or frequency of lease sales;
(2) mandate reinstatement of previously canceled or expired leases; or
(3) bypass or weaken section 12 of this Act or other public engagement requirements in the oil and gas leasing process.

SECTION 11. REPEAL OF LITIGATION BANS AND AUTOMATIC LEASE REINSTATEMENTS

(a) **Legislative Purpose.** — Congress finds and declares that the reinstatement of canceled, expired, or inactive energy leases without full environmental review and lawful process is contrary to the public interest. Such actions bypass established safeguards, undermine transparent decision-making, and erode public trust. It is the purpose of this section to repeal any authority for such reinstatements, void all leases reinstated under that authority, and ensure that no federal lease, permit, or energy development action is shielded from judicial review.

(b) **Repeal of Litigation Bans and Automatic Reinstatements.** — Any provision of law that—
(1) revives, reinstates, or insulates from judicial review any oil, gas, or coal lease previously canceled, suspended, expired, or deemed inactive; or
(2) prohibits, restricts, or limits legal challenges to any federal lease, permit, or energy development action—
is hereby repealed and shall have no force or effect.

(c) **Restoration of Full Legal Review.** — All such leases and related actions shall—
(1) be subject to judicial review and administrative challenge to the same extent as any comparable federal action; and
(2) comply fully with section 12 of this Act and all other applicable environmental and public participation requirements before any development, production, or other ground-disturbing activity may occur.

SECTION 12. RESTORATION OF NEPA STANDARDS

(a) Legislative Purpose. — Congress finds and declares that the public interest requires the restoration and continued, consistent enforcement of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in the form and with the safeguards that, for decades prior to January 24, 2017, ensured transparent decision-making, scientific integrity, and meaningful public participation.

(b) Restoration of Standards. — For the purposes of all federal agency actions, permits, leases, licenses, approvals, or rulemakings issued or initiated after the date of enactment of this Act, NEPA shall be implemented and enforced—

1. in accordance with the text of that statute;

2. pursuant to the regulations, executive orders, guidance documents, judicial interpretations, and agency practices in effect on January 23, 2017; and

3. without regard to any regulatory change, waiver, reinterpretation, or rescission adopted on or after January 24, 2017.

(c) Supremacy Clause. — This section shall supersede and preempt any conflicting regulation, executive order, memorandum, reorganization plan, or emergency declaration, whether issued before or after enactment, and shall be enforceable according to its terms without further agency discretion.

(d) Judicial Review. — Failure to adhere to this section shall constitute a final agency action subject to judicial review under the Administrative Procedure Act. NEPA may not be waived, excluded, or exempted from such review except as expressly provided in that statute.

(e) Non-Severability. — The nullifications, repeals, and restorations provided in this section shall apply without regard to the severability of any provision of the Consolidated Republican Reconciliation Act of 2025 or any other statute, and no portion of a provision listed in this section shall remain in force or effect.

SECTION 13. PROHIBITION ON PRODUCTION QUOTAS, DEVELOPMENT MANDATES, AND AUTOMATIC LEASE TERMINATION

(a) Prohibition on Mandatory Production or Leasing Quotas. — Notwithstanding any other provision of law, no officer, employee, or agency of the United States shall—
(1) require the offering, auctioning, or issuance of a minimum number of oil, gas, coal, or geothermal leases on Federal lands or in Federal offshore waters within any fiscal year or other specified timeframe; or
(2) impose production volume requirements, drilling schedules, or development milestones on any leaseholder, permittee, or operator as a condition of maintaining a valid lease, except to the extent expressly required by—
(A) the original, unamended lease terms in effect at the time the lease was issued; or
(B) a statute enacted after the date of enactment of this Act.

(b) Lease Termination and Inactivity. — No lease or permit for the development of oil, gas, coal, or geothermal resources on Federal lands or in Federal offshore waters shall be terminated, canceled, or deemed to expire solely due to nonproduction or inactivity, provided that—
(1) the leaseholder remains in full compliance with all other lease obligations, including bonding, royalty payments, reporting, and reclamation requirements; and
(2) the leaseholder has not voluntarily relinquished the lease or failed to timely seek an extension under existing statutory authority.

(c) Penalty Prohibition. — No leaseholder shall be subject to any additional fee, fine, forfeiture, or penalty interest for failing to meet any production quota, drilling milestone, or development benchmark not included in the original lease terms in effect at the time the lease was issued.

(d) Supersession of Conflicting Law. — This section supersedes and renders without force or effect any provision of the Consolidated Republican Reconciliation Act of 2025, or any other statute, regulation, lease clause, or agency action, to the extent that such provision mandates or incentivizes increased production, accelerated leasing, or automatic termination of inactive leases.

SECTION 14. PROHIBITION ON AUTOMATIC ENERGY LEASE EXTENSIONS AND ROYALTY RELIEF

(a) Lease Renewals and Extensions. — Notwithstanding any other provision of law, no lease, permit, or right-of-way for the exploration, development, or production of oil, gas, coal, or geothermal resources on Federal lands or in Federal offshore waters shall—

1. be automatically renewed, extended, reinstated, or carried forward; or

2. be renewed or extended by administrative discretion without—
   (A) full discretionary review;
   (B) written findings of continued public interest; and
   (C) a determination of compliance with all applicable environmental laws, including the National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq.), and all public notice and consultation requirements.

All lease renewals or extensions shall require approval by the Secretary of the Interior or the head of the appropriate Federal agency.

(b) Prohibition on Royalty, Rental, or Bonding Reductions. — No royalty rate, rental fee, minimum bid requirement, bonding obligation, or other financial term of any oil, gas, coal, or geothermal lease on Federal lands or in Federal offshore waters shall be—

1. waived, reduced, or deferred;

2. modified to incentivize production or reduce operator costs; or

3. altered through guidance, memorandum, or any non-public process,

unless such modification—
(A) is promulgated through a public rulemaking process that includes—
(i) a complete, site-specific environmental analysis compliant with NEPA;
(ii) a public comment period of not less than 60 days; and
(iii) full compliance with the Administrative Procedure Act (5 U.S.C. § 551 et seq.); and
(B) remains subject to judicial review under the APA and all other applicable laws.

(c) Supersession of Conflicting Provisions. — This section shall supersede and render unenforceable any clause, rider, lease provision, or statutory interpretation that—

1. guarantees automatic renewal or extension;

2. authorizes administrative royalty relief, rental reductions, or bonding waivers without public process; or

3. purports to preclude judicial review of such actions.

SECTION 15. PRESERVATION OF MORATORIUM AUTHORITY

(a) Affirmation of Authority.
The President of the United States, the Secretary of the Interior, and all other federal officials with jurisdiction over federal lands and offshore waters shall retain **full and discretionary authority** to:

1. Suspend, pause, defer, or cancel any oil, gas, or coal lease sale or permit approval;
2. Decline to offer new leases for any resource or region;
3. Halt or defer implementation of previously issued leases or permits, whether pending or active.

(b) Scope of Justification.
Such actions may be taken for any reason, including but not limited to:

- Environmental or climate protection;
- Tribal sovereignty or treaty obligations;
- Public health and safety;
- Legal uncertainty or litigation;
- Fiscal or economic prudence.

(c) Supersession Clause.
This authority shall not be:

1. Limited, revoked, or overridden by any provision of the Consolidated Republican Reconciliation Act of 2025, any prior statute, regulation, or lease clause;
2. Subject to judicial invalidation based solely on timing, scope, or perceived delay in leasing activity; or
3. Dependent upon further rulemaking, formal declaration, or additional congressional authorization.

SECTION 16. LIMITATION ON EMERGENCY WAIVERS

(a) Legislative Purpose. — Congress finds and declares that emergency authorities were intended to address unforeseen, imminent threats to public safety or national security, not to

serve as a mechanism for circumventing statutory environmental protections, public participation requirements, or scientific review. In recent years, such authorities have been misapplied to expedite extractive or development activities on public lands without adequate analysis or public notice, resulting in irreversible environmental harm. It is therefore the purpose of this section to restore the proper scope of emergency powers by ensuring they may not be invoked to waive, suspend, or bypass environmental laws or land management safeguards except in truly extraordinary and narrowly defined circumstances.

(b) Prohibited Use of Emergency Authority. — No declaration of national emergency, executive order, presidential memorandum, proclamation, or other assertion of emergency authority shall be construed to authorize the waiver, suspension, or circumvention, in whole or in part, of any of the following:

1. The National Environmental Policy Act (42 U.S.C. § 4321 et seq.);
2. The Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq.);
3. The Wilderness Act (16 U.S.C. § 1131 et seq.);
4. The Federal Land Policy and Management Act of 1976 (43 U.S.C. § 1701 et seq.);
5. The Antiquities Act of 1906 (54 U.S.C. § 320301 et seq.); or
6. Any federal tribal consultation requirement, treaty obligation, or statutory mandate relating to tribal lands, cultural resources, or ancestral territory.

(c) Funding Restriction. — No funds appropriated or otherwise made available under this or any other Act may be used to implement any project, program, lease, authorization, or approval that claims exemption from the laws identified in subsection (b) by reason of emergency authority, unless expressly authorized by an Act of Congress enacted after the date of enactment of this Act.

(d) Nullification of Prior Waivers. — Any waiver, exemption, or suspension of the laws identified in subsection (b) that was issued or relied upon pursuant to emergency authority before the date of enactment of this Act is hereby nullified and shall have no further force or effect.

(e) Non-Preemption by Other Authorities. — No interpretation of the Constitution or of any statute, including, but not limited to, the National Emergencies Act (50 U.S.C. § 1601 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121 et seq.), the Defense Production Act of 1950 (50 U.S.C. § 4501 et seq.), or the International Emergency Economic Powers Act (50 U.S.C. § 1701 et seq.), shall be construed to override or nullify this section.

SECTION 17. ENVIRONMENTAL COMPLIANCE DURING LAPSE IN APPROPRIATIONS

(a) Nondiscretionary Duties Remain in Force.
Notwithstanding any lapse in appropriations, continuing resolution, debt ceiling limitation, or other fiscal constraint, all federal agencies shall remain obligated to comply with:

1. The National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.);
2. The Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq.);
3. The Federal Land Policy and Management Act of 1976 (43 U.S.C. § 1701 et seq.); and
4. Any other statute requiring environmental analysis, tribal consultation, or public participation in land-use decisions.

(b) Prohibition on Suspension or Waiver.
No agency shall interpret a lapse in funding as authority to:

1. Suspend or waive environmental review requirements;
2. Proceed with project approvals or permit actions without compliance with governing environmental laws; or
3. Defer or delay any legally required analysis, consultation, or mitigation obligation.

(c) Supersession of Contrary Authority.
This section shall supersede and nullify any statute, regulation, lease clause, or memorandum—whether enacted before or after this Act—that purports to authorize or require the suspension of environmental compliance due to lack of appropriated funds or emergency fiscal circumstances.

SECTION 18. LIMITATION ON EXECUTIVE REORGANIZATION OF LAND AGENCIES

(a) None of the funds appropriated or made available by this Act or any other Act may be used to implement, plan, or carry out the reassignment, consolidation, or transfer of any statutory authority, function, budget, or personnel of the:

- National Park Service,
- U.S. Forest Service,
- Bureau of Land Management, or
- U.S. Fish and Wildlife Service,

to any other department, agency, or executive entity unless such transfer is explicitly authorized by an Act of Congress enacted after the date of enactment of this Act.

(b) This section shall apply to any executive order, presidential memorandum, or administrative directive, regardless of whether it purports to be temporary, structural, or efficiency-related.

(c) Any action taken in violation of this section shall be deemed legally null and void, and may not be funded, implemented, or enforced by any federal agency.

SECTION 19. LIMITATIONS ON BINDING AGENCY POLICY

(a) Requirement for Public Rulemaking.
No federal agency may impose binding obligations, restrictions, conditions, deadlines, or procedures on any non-federal person or entity unless such requirements have been:

1. Promulgated through notice-and-comment rulemaking under the Administrative Procedure Act (5 U.S.C. § 553); and

2. Published in the Federal Register.

(b) No Force of Law for Guidance or Informal Policy.
No guidance document, policy memorandum, internal manual, FAQ, website posting, press release, or advisory bulletin shall have the force or effect of law unless:

1. It has been expressly authorized by a duly promulgated regulation or statute; and

2. Its use does not result in any legally binding requirement or denial of rights for members of the public, permit applicants, or regulated entities.

(c) Judicial Review Not Waived.
Any agency action taken pursuant to non-binding guidance or internal policy shall remain subject to judicial review and may not be shielded from challenge by asserting that the policy was "non-final," "nonbinding," or "purely discretionary" if it produces direct legal consequences or constrains agency discretion in practice.

(d) Supersession.
This section shall supersede any conflicting provision of federal law, regulation, agency directive, or any provision of the Consolidated Republican Reconciliation Act of 2025 that purports to allow legally binding action through informal or nonpublic processes.

SECTION 20. BAN ON BLANKET EXEMPTIONS AND CATEGORICAL EXCLUSIONS FOR HIGH-IMPACT ACTIVITIES

(a) Prohibition on Blanket NEPA Exemptions.
Notwithstanding any other provision of law, regulation, or agency guidance, no categorical exclusion, programmatic exemption, or alternative approval framework shall apply to any of the following activities carried out on federally managed lands:

1. Commercial timber harvest, salvage logging, or mechanical thinning operations;
2. Approval or issuance of oil, gas, coal, hardrock, or geothermal leases;
3. Road construction, reconstruction, or expansion.

(b) Project-Specific Review Required.
All activities described in subsection (a) shall be subject to:

1. A project-specific environmental review under the National Environmental Policy Act of 1969,
2. Formal public notice and opportunity to comment under applicable NEPA and APA procedures, and
3. Availability for judicial review under the Administrative Procedure Act and other applicable statutes.

(c) Supersession Clause.
This section shall supersede and render null any categorical exclusion or programmatic approval listed in federal regulations or internal agency guidance, including but not limited to:

- 36 C.F.R. Part 220 (Forest Service NEPA exclusions);
- 43 C.F.R. Part 46 (Department of the Interior NEPA exclusions);
- Any NEPA waivers adopted pursuant to the Consolidated Republican Reconciliation Act of 2025.

SECTION 21. NONDELEGABLE FEDERAL ENVIRONMENTAL OBLIGATIONS

(a) Prohibition on Delegation of Statutory Duties.
No agency of the United States shall delegate, assign, or otherwise transfer responsibility for

carrying out the following statutory obligations to any non-federal party, including state or tribal governments, permit applicants, contractors, consultants, or industry representatives:

1. Environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.);

2. Consultation and impact assessments under the Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq.);

3. Land use planning and leasing authority under the Federal Land Policy and Management Act of 1976 (43 U.S.C. § 1701 et seq.).

(b) Requirement for Federal Control and Signature.
All environmental impact statements, environmental assessments, findings of no significant impact, biological opinions, and land use decisions must be:

1. Conducted under the supervision of a federal employee, and

2. Signed and certified by a duly authorized officer or employee of the United States, acting in their official capacity.

(c) Supersession Clause.
This section shall supersede any statute, regulation, memorandum, lease clause, or funding condition that purports to authorize or require delegation of environmental review or approval duties to non-federal parties.
This includes any provision of the Consolidated Republican Reconciliation Act of 2025 that allows third-party contractors or state agencies to prepare or certify NEPA, ESA, or FLPMA documents on behalf of federal agencies.

SECTION 22. PUBLIC RIGHT TO ENVIRONMENTAL INFORMATION

(a) Legislative Purpose. — Congress finds and declares that transparency in environmental decision-making is essential to public trust, informed participation, and effective oversight of federal agencies. Access to timely, complete, and accurate information regarding proposed actions, environmental impacts, and mitigation measures enables the public, affected communities, and scientific experts to contribute meaningfully to decisions that affect public lands, natural resources, and public health. It is therefore the purpose of this section to guarantee an enforceable right of public access to environmental information, ensuring that such information cannot be withheld, obscured, or delayed except as expressly authorized by statute.

(b) Mandatory Disclosure of Environmental Documents.
All final documents prepared under the National Environmental Policy Act (NEPA) or Endangered Species Act (ESA), including but not limited to:

1. Environmental assessments (EAs);
2. Environmental impact statements (EISs);
3. Findings of no significant impact (FONSIs);
4. Biological assessments;
5. Biological opinions (BiOps); and
6. Any supporting technical or scientific appendices or datasets

shall be published online in full within 30 days of completion and made freely and permanently accessible to the public in a searchable format.

(c) Prohibition on Withholding Scientific Findings.
No final scientific, technical, or environmental analysis related to NEPA or ESA compliance may be withheld from public release under any Freedom of Information Act (FOIA) exemption, including Exemption 5, unless:

1. The information is specifically and properly classified under Executive Order 13526, and
2. A written classification determination has been made by the original classifying authority in accordance with applicable law.

(d) Supersession of Contradictory Authorities.
This section shall override any agency regulation, guidance, or interpretation that permits the routine withholding of scientific documents or analysis under FOIA exemptions unrelated to national security classification.
Any provision of the Consolidated Republican Reconciliation Act of 2025 or similar statute that conflicts with this section is hereby superseded.

SECTION 23. PUBLIC LANDS WORKFORCE PRESERVATION AND REPORTING REQUIREMENTS

(a) Workforce Freeze.
Notwithstanding any other provision of law, no officer or employee of the United States shall initiate or implement any reduction in force, hiring freeze, attrition-based position elimination, reorganization, reassignment, or downgrade of full-time equivalent (FTE) positions within the following agencies, unless expressly authorized by an Act of Congress enacted after the date of enactment of this Act:

- The National Park Service;

- The U.S. Forest Service;
- The Bureau of Land Management;
- The U.S. Fish and Wildlife Service.

This subsection shall not prohibit:

1. Voluntary separations, retirements, or resignations;
2. Term-limited seasonal or temporary positions concluding as scheduled;
3. Personnel actions required by law, judicial order, or a final finding of misconduct.

(b) No Net Loss Baseline.
Within 60 days of enactment of this Act, each agency listed in subsection (a) shall submit to Congress and publish on its public website:

1. A comprehensive workforce inventory report showing the number of permanent, seasonal, and temporary employees assigned to land management, resource protection, and conservation duties as of:
    - January 20, 2025; and
    - The date of enactment of this Act.
2. A written certification by the Secretary or agency head affirming that staffing levels will be preserved or restored to not less than those in effect on January 20, 2025, using existing appropriated funds and lawful appointment authority.
3. If restoration to that baseline is not possible, a detailed justification including:
    - A description of relevant funding constraints;
    - Identification of critical vacancies and operational risks; and
    - A timeline and action plan to stabilize staffing levels.

(c) Oversight and Accountability.
If any agency listed in subsection (a) fails to submit the report and certification required under subsection (b) within 60 days of enactment:

1. The following officials shall be deemed ineligible to receive any salary or payment from the Treasury beginning on the 61st day following enactment and continuing until the required report and certification are submitted:

- The Secretary of the Interior;
- The Secretary of Agriculture;
- The Director of the National Park Service;
- The Director of the U.S. Fish and Wildlife Service;
- The Director of the Bureau of Land Management;
- The Chief of the U.S. Forest Service.

2. No funds appropriated under this Act or any other Act may be used to pay the salary of any individual serving in a position listed in paragraph (1) during any period of noncompliance with subsection (b), unless and until such compliance is achieved.

3. During any period of noncompliance with this section, no funds may be reprogrammed, transferred, or obligated by:

    - The immediate Office of the Secretary of the Interior or Secretary of Agriculture; or
    - The headquarters office of any agency listed in subsection (a), except as necessary for emergency response or legal compliance.

4. The Comptroller General of the United States shall, within 90 days of the submission deadline in subsection (b), conduct a review of each agency's report and certification under this section and submit a public report to Congress evaluating:

    - The accuracy and completeness of workforce data submitted by each agency;
    - Whether the reported staffing levels reflect actual field capacity to carry out land management responsibilities;
    - Any material omissions, inconsistencies, or delays in compliance; and
    - Recommendations for further oversight, enforcement, or corrective legislation if compliance is found to be inadequate.

SECTION 24. STRENGTHENING THE ENDANGERED SPECIES ACT AND AFFIRMATIVE PROTECTIONS FOR KEY SPECIES

(a) **Legislative Purpose.** — Congress finds and declares that it is in the public interest to ensure that the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) continues to function as intended — safeguarding imperiled species and their habitats through science-based

decision-making — and that its protections remain stable and effective regardless of changes in executive policy or administration.

(a) Amendments to the Endangered Species Act of 1973

(1) Codification of Scientific Integrity in Listing and Habitat Decisions. — Section 4(b) of the ESA (16 U.S.C. 1533(b)) is amended by adding:

"All determinations made under this section, including decisions to list, delist, or reclassify a species, and all designations of critical habitat, shall be based solely on the best available scientific and commercial data without consideration of economic, political, or social impacts. Such determinations may not be overridden or modified by the President, the Secretary, or any other official based on non-scientific factors."

(2) Definition of Harm Clarified. — Section 3(19) of the ESA (16 U.S.C. 1532(19)) is amended to read:

"The term 'harm' includes any act or omission, including habitat modification or degradation, that actually or foreseeably kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, sheltering, dispersal, or migration. The foreseeability of harm shall be evaluated under a reasonable person standard, and no specific intent to harm shall be required."

(3) No Delegation of Take Authority. — Section 10 of the ESA (16 U.S.C. 1539) is amended by adding:

"(k) The authority to grant incidental take permits under this section shall not be delegated to state or local governments or to private parties. All permits under this section must be issued and signed by a designated federal officer, and no programmatic waivers or blanket exemptions shall be permitted. Site-specific analysis under Section 7 or 10 is required for all activities with foreseeable impacts on listed species or designated critical habitat."

(4) Prohibition on Administrative Downlisting Without Independent Science — Add a new subsection to Section 4:

"(h) No species may be reclassified from endangered to threatened, or delisted, unless supported by a peer-reviewed, independently conducted biological analysis confirming that recovery goals have been achieved.
Such decisions shall be subject to public notice and comment and judicial review, and may not rely solely on agency discretion."

(5) Judicial Review and Non-Waivability
A new Section 14 is added to the Endangered Species Act:

"No provision of this Act may be waived, suspended, or nullified by executive order, emergency declaration, or agency memorandum.
All decisions, exemptions, and permits issued under this Act shall remain subject to judicial review.
No action under this Act may be deemed unreviewable by any provision of law or lease condition."

(6) Abolition of the Endangered Species Committee and Repeal of Exemption Authority. — Section 7 of the ESA (16 U.S.C. 1536) is amended:

(A) by striking subsections (g), (h), and (i) in their entirety;

(B) by repealing all provisions establishing or governing the Endangered Species Committee;

(C) by eliminating all statutory authority for granting project-specific exemptions from the requirements of subsection (a)(2), including exemptions based on economic cost, regional importance, or emergency declaration; and

(D) by adding at the end the following new subsections:

"(m) Prohibition on Successor Committees or Bodies.—No executive order, regulation, memorandum, or administrative action shall establish, fund, or empower any federal committee, task force, working group, or interagency council with the authority to override, waive, or exempt compliance with this section.

(n) Scientific Integrity Requirement.—All determinations, consultations, and actions under this section shall be made solely on the basis of the best available scientific and commercial data, without consideration of economic cost, infrastructure impact, regional priorities, or political significance.

(o) Supersession Clause.—This subsection supersedes and renders unenforceable any provision of law, regulation, or lease clause—whether enacted before or after the date of enactment of the [Act's short title]—that authorizes or requires exemption from this section for any reason other than a judicially ordered modification under the Act itself."

(b) Red Wolf Protections

(1) Statutory Recovery Floor for the Red Wolf
Notwithstanding any other provision of law, the red wolf (Canis rufus) shall not be removed from the list of endangered species under Section 4 unless and until the following criteria are met:

- A wild population of at least 500 red wolves has been documented across at least three distinct recovery zones in the southeastern United States;

- The population is demonstrated to be self-sustaining, with consistent natural reproduction for a period of not less than five consecutive years;

- A peer-reviewed recovery plan has been completed and approved by the U.S. Fish and Wildlife Service and made publicly available.

(2) Statutory Moratorium on Program Curtailment
Notwithstanding any other provision of law, no officer or employee of the United States shall suspend, terminate, downscale, geographically reduce, impose caps upon, or otherwise restrict in any manner the scope, implementation, or funding allocation of any federal recovery or reintroduction program for the red wolf (Canis rufus), including programs under Section 10(j), unless expressly authorized by an Act of Congress enacted after the date of enactment of this Act.

No such program shall be declared inoperative, nonessential, experimental, or subject to administrative reinterpretation for any reason, including funding availability, state opposition, or agency discretion.

This subsection shall override any contrary guidance, rulemaking, internal memorandum, environmental review finding, or judicial settlement.

(3) No Removal of Experimental Population Status Without Congress
The 10(j) non-essential experimental population designation for red wolves in North Carolina may not be rescinded or materially altered except through an Act of Congress.

(c) Use of Civil Penalties and Fines
All fines, penalties, and monetary settlements collected under Section 11 of the Endangered Species Act (16 U.S.C. § 1540) shall remain available to the U.S. Fish and Wildlife Service without fiscal year limitation and shall not be subject to appropriation or reprogramming.

These funds shall be obligated exclusively for:
(1) Hiring, training, and equipping additional field enforcement personnel;
(2) Monitoring and protection of endangered and threatened species; and
(3) Direct implementation of recovery programs and habitat protection actions identified in approved recovery plans.

No portion of these funds may be used for administrative overhead or discretionary office operations not directly related to field enforcement or species recovery.

SECTION 25. PROTECTION OF SENSITIVE ARCTIC LANDS AND WATERS

(a) Withdrawal of Core Conservation Areas
The following federal lands and waters are permanently withdrawn from all forms of mineral

leasing, exploration, and development:
(1) The 1002 Area of the Arctic National Wildlife Refuge.
(2) All lands within the Teshekpuk Lake, Utukok River Uplands, Colville River, Kasegaluk Lagoon, and Peard Bay Special Areas of the National Petroleum Reserve–Alaska.
(3) All nearshore waters within 25 miles of the Beaufort and Chukchi Sea coasts.

(b) **Existing Leases** — Any lease issued after August 1, 2025, within the areas described in subsection (a) is hereby revoked.

(c) **Non-Delegable** — The protections of this section may not be waived, modified, or rescinded except by an Act of Congress.

SECTION 27. RULE OF CONSTRUCTION AND ENFORCEMENT

(a) Legislative Purpose. — Congress finds and declares that the provisions of this Act, and the amendments made by this Act, reflect clear and specific statutory directives that are not subject to alteration, waiver, or reinterpretation by the Executive Branch absent explicit congressional authorization. Past misuse of legal opinions, internal memoranda, and agency guidance to narrow or nullify statutory requirements has undermined congressional intent, weakened environmental protections, and eroded public trust. It is therefore the purpose of this section to ensure that all provisions of this Act are implemented and enforced as written, to prohibit unauthorized reinterpretation or waiver by any officer or employee of the Executive Branch, and to preserve full judicial review of agency compliance.

(b) Prohibition on Unauthorized Reinterpretation
No interpretation, legal opinion, memorandum, guidance, or directive issued by the Office of Legal Counsel, the Attorney General, or any other officer or employee of the Executive Branch shall have any force or effect to waive, alter, limit, suspend, or reinterpret any provision of this Act, unless:

1. Such interpretation or opinion is expressly authorized by an Act of Congress enacted after the date of enactment of this Act; and

2. Such interpretation or opinion is published in the Federal Register and transmitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, Agriculture, and Environment and Public Works of the House of Representatives and the Senate.

(c) Ultra Vires Actions Void
Any agency action or inaction undertaken in reliance upon an interpretation or opinion described in subsection (a) that does not meet both requirements of subsection (a) shall be deemed ultra vires, legally null and void, and without any legal force or effect.

(d) Judicial Review Preserved
All actions described in subsection (b) shall remain subject to judicial review under chapter 7 of title 5, United States Code (the Administrative Procedure Act), and no assertion of executive

privilege, deliberative process, or other confidentiality doctrine shall preclude the production of such interpretation or opinion in any judicial proceeding challenging the lawfulness of the underlying action or inaction

(e) Applicability. — This section applies—

1. to all provisions of this Act;

2. to every amendment to an existing statute made by this Act; and

3. to any regulation, order, guidance, policy, or other agency action issued under, implementing, or purporting to interpret any provision described in paragraphs (1) or (2).