

116TH CONGRESS  
1ST SESSION

# H. R. 3747

To require the Federal Government to acquire mineral rights, and prohibit disturbance, of the subsurface of federally owned sites listed on the National Priorities List to the extent necessary to protect cleanup remedies, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2019

Mr. NEGUSE introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require the Federal Government to acquire mineral rights, and prohibit disturbance, of the subsurface of federally owned sites listed on the National Priorities List to the extent necessary to protect cleanup remedies, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “On or Under Act”.

1 **SEC. 2. PROHIBITION ON DISTURBANCE OF THE SUB-**  
2 **SURFACE OF NPL SITES.**

3 (a) ACQUISITION OF MINERAL RIGHTS.—Upon the  
4 date of enactment of this Act, the Federal Government  
5 shall acquire all the current existing mineral rights, in-  
6 cluding lease interests, that exist in the subsurface of fed-  
7 erally owned sites listed on the National Priorities List  
8 under the Comprehensive Environmental Response, Com-  
9 pensation, and Liability Act of 1980 (42 U.S.C. 9601 et  
10 seq.).

11 (b) PROHIBITION.—Upon acquiring such subsurface  
12 mineral rights, unless for the purposes of site clean-up,  
13 the Administrator of the Environmental Protection Agen-  
14 cy shall prohibit, through restrictive covenant or other ap-  
15 propriate mechanism, any drilling, excavation, or other  
16 disturbance of the federally owned subsurface beneath a  
17 site listed on the National Priorities List under the Com-  
18 prehensive Environmental Response, Compensation, and  
19 Liability Act of 1980 (42 U.S.C. 9601 et seq.).

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