

# House deploys rule-killing law against Biden mining curbs

By HANNAH NORTHEY, MANUEL QUIÑONES | 01/20/2026 06:49 AM EST

Legislation up for a vote this week is part of the Republicans' expansive use of the Congressional Review Act.



Rep. Pete Stauber (R-Minn.), chair of the House Natural Resources Subcommittee on Energy and Mineral Resources, is sponsoring a Congressional Review Act resolution against Biden-era mining restrictions. Francis Chung/POLITICO

Republicans this week are planning to use a rule-killing law to undo Biden-era restrictions on mining near more than 1 million acres of Minnesota wilderness.

The House will vote on [H.J. Res. 140](#) to overturn former President Joe Biden's block on new mining on 225,000 acres in the Superior National Forest near an area of 1,000 lakes along the border with Canada called the Boundary Waters Canoe Area Wilderness.

Not only would the legislation scrap protections valued by environmentalists, but it would also continue the GOP's use of the rule-busting Congressional Review Act for actions that have not been traditionally seen as rules.

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"Mining is huge in Minnesota. And all mining helps the school trust fund in Minnesota as well. So it benefits all schools in the state," said sponsor Rep. Pete Stauber (R-Minn.), chair of the Natural Resources Subcommittee on Energy and Mineral Resources.

Stauber and the administration are eager to see Twin Metals, a subsidiary of Chilean mining firm Antofagasta, develop a mine in the national forest.

"By locking up the Duluth Complex — the world's largest untapped copper-nickel deposit — President Biden cemented our nation's reliance on foreign adversarial nations like China for critical minerals that will be necessary for the United States to compete and win in the 21st Century," Stauber said in a release last week.

The Congressional Review Act makes it easier for Congress to overturn administration rules by simple majority within a certain timeframe. Because the Biden administration did not submit its Minnesota mining limits as a rule, they remained vulnerable.



Sen. Tina Smith (D-Minn.) has been vocal in her support of mining restrictions in the northeastern part of her state. | Abbie Parr/AP

Sen. Tina Smith (D-Minn.) is helping lead the opposition and argues the CRA, signed by President Bill Clinton, wasn't meant to go after the withdrawal of federal lands from new drilling and mining. Democrats are still examining the procedural options if the bill reaches the Senate.

"Pete Stauber is attempting to use a devious strategy to undo what has — after extensive review — been settled policy for years," Smith said in a statement. "It would set a dangerous precedent. It is also dramatically unpopular. Minnesotans have made it clear they do not agree with Stauber's efforts to sell out the Boundary Waters to line the pockets of a Chilean mining company. I will fight this effort as strongly as I can."

Last year the Senate parliamentarian ruled against using the Congressional Review Act against Biden-era EPA waivers for California emissions rules. Republicans then moved to bypass the ruling.

Even though using the CRA against a land withdrawal would be unprecedented, [it's similar](#) to the GOP using the law against land-use plans and development restrictions in several states. Democrats then called it an improper application of the law that left decades of natural resources plans open to being struck.

Ingrid Lyons, executive director of Save the Boundary Waters, said she's trying to "prevent this dangerous, unprecedented use of the CRA which fundamentally threatens public lands and other land management agency decisions, making them vulnerable to any politicized nullification attempt that anyone in Congress wants to make."

She added about her opposition to Stauber's measure: "It's about the Boundary Waters, but it's also so much broader."

*Timothy Cama and Kelsey Brugger contributed to this report.*

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