

106TH CONGRESS  
2D SESSION

# S. 2300

To amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

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IN THE SENATE OF THE UNITED STATES

MARCH 28, 2000

Mr. THOMAS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

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. TITLE.**

4       This Act may be cited as the “Coal Market Competi-  
5       tion Act of 2000”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) Federal land contains commercial deposits  
9       of coal, the Nation’s largest deposits of coal being

1 located on Federal land in Utah, Colorado, Montana,  
2 and the Powder River Basin of Wyoming;

3 (2) coal is mined on Federal land through Fed-  
4 eral coal leases under the Act of February 25, 1920  
5 (commonly known as the “Mineral Leasing Act”)  
6 (30 U.S.C. 181 et seq.);

7 (3) the sub-bituminous coal from these mines is  
8 low in sulfur, making it the cleanest burning coal for  
9 energy production;

10 (4) the Mineral Leasing Act sets for each  
11 leasable mineral a limitation on the amount of acre-  
12 age of Federal leases any 1 producer may hold in  
13 any 1 State or nationally;

14 (5)(A) the present acreage limitation for Fed-  
15 eral coal leases has been in place since 1976;

16 (B) currently the coal lease acreage limit of  
17 46,080 acres per State is less than the per-State  
18 Federal lease acreage limit for potash (96,000 acres)  
19 and oil and gas (246,080 acres);

20 (6) coal producers in Wyoming and Utah are  
21 operating mines on Federal leaseholds that contain  
22 total acreage close to the coal lease acreage ceiling;

23 (7) the same reasons that Congress cited in en-  
24 acting increases for State lease acreage caps applica-  
25 ble in the case of other minerals—the advent of

1 modern mine technology, changes in industry eco-  
2 nomics, greater global competition, and the need to  
3 conserve Federal resources—apply to coal;

4 (8) existing coal mines require additional lease  
5 acreage to avoid premature closure, but those mines  
6 cannot relinquish mined-out areas to lease new acre-  
7 age because those areas are subject to 10-year rec-  
8 lamation plans, and the reclaimed acreage is counted  
9 against the State and national acreage limits;

10 (9) to enable them to make long-term business  
11 decisions affecting the type and amount of additional  
12 infrastructure investments, coal producers need cer-  
13 tainty that sufficient acreage of leasable coal will be  
14 available for mining in the future; and

15 (10) to maintain the vitality of the domestic  
16 coal industry and ensure the continued flow of valu-  
17 able revenues to the Federal and State governments  
18 and of energy to the American public from coal pro-  
19 duction on Federal land, the Mineral Leasing Act  
20 should be amended to increase the acreage limitation  
21 for Federal coal leases.

22 **SEC. 3. COAL MINING ON FEDERAL LAND.**

23 Section 27(a) of the Act of February 25, 1920 (30  
24 U.S.C. 184(a)), is amended—

1           (1) by striking “(a)” and all that follows  
2 through “No person” and inserting “(a) COAL  
3 LEASES.—No person”;

4           (2) by striking “forty-six thousand and eighty  
5 acres” and inserting “75,000 acres”; and

6           (3) by striking “one hundred thousand acres”  
7 each place it appears and inserting “150,000 acres”.

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