

Calendar No. 755

106TH CONGRESS
2D SESSION**S. 2300****[Report No. 106-378]**

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.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2000

Mr. THOMAS (for himself, Mr. ENZI, and Mr. BENNETT) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 25, 2000

Reported under authority of the order of the Senate of July 26, 2000, by Mr. MURKOWSKI, without amendment

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”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) Federal land contains commercial deposits
4 of coal, the Nation’s largest deposits of coal being
5 located on Federal land in Utah, Colorado, Montana,
6 and the Powder River Basin of Wyoming;

7 (2) coal is mined on Federal land through Fed-
8 eral coal leases under the Act of February 25, 1920
9 (commonly known as the “Mineral Leasing Act”)
10 (30 U.S.C. 181 et seq.);

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

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

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

20 (B) currently the coal lease acreage limit of
21 46,080 acres per State is less than the per-State
22 Federal lease acreage limit for potash (96,000 acres)
23 and oil and gas (246,080 acres);

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

1 (7) the same reasons that Congress cited in en-
2 acting increases for State lease acreage caps applica-
3 ble in the case of other minerals—the advent of
4 modern mine technology, changes in industry eco-
5 nomics, greater global competition, and the need to
6 conserve Federal resources—apply to coal;

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

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

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

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

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

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

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

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

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