

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.

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

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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