

Union Calendar No. 312

115TH CONGRESS
1ST SESSION

H. R. 3905

[Report No. 115-422]

To require congressional approval of any mineral withdrawal or monument designation involving the National Forest System lands in the State of Minnesota, to provide for the renewal of certain mineral leases in such lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2017

Mr. EMMER (for himself, Mr. PETERSON, and Mr. LEWIS of Minnesota) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 21, 2017

Additional sponsor: Mr. GOSAR

NOVEMBER 21, 2017

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

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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 “Minnesota’s Economic
5 Rights in the Superior National Forest Act”.

6 **SEC. 2. CONDITION ON MINERAL WITHDRAWAL OF NA-**
7 **TIONAL FOREST SYSTEM LANDS IN MIN-**
8 **NESOTA.**

9 Minerals within the National Forest System lands in
10 the State of Minnesota shall not be subject to withdrawal
11 from disposition under United States mineral and geo-
12 thermal leasing law unless the withdrawal is specifically
13 approved by an Act of Congress enacted after the date
14 of the enactment of this Act.

15 **SEC. 3. CONDITION ON MONUMENT DESIGNATION ON NA-**
16 **TIONAL FOREST SYSTEM LANDS IN MIN-**
17 **NESOTA.**

18 Section 320301 of title 54, United States Code, is
19 amended by adding at the end the following new sub-
20 section:

21 “(e) **LIMITATION ON EXTENSION OR ESTABLISH-**
22 **MENT OF A NATIONAL MONUMENT IN MINNESOTA.**—No
23 extension or establishment of national monuments on Na-
24 tional Forest System lands in the State of Minnesota may

1 be undertaken except by express authorization of Con-
 2 gress.”.

3 **SEC. 4. CLARIFYING THE NATURE OF MINERAL RIGHTS ON**
 4 **FOREST SYSTEM LANDS IN MINNESOTA.**

5 (a) MINERAL LEASES ISSUED WITHIN FOREST SYS-
 6 TEM LANDS IN MINNESOTA.—

7 (1) IN GENERAL.—All mineral leases issued
 8 within the exterior boundaries of National Forest
 9 System lands in the State of Minnesota under the
 10 authority of the Act of June 30, 1950 (16 U.S.C.
 11 508b), or section 402 of Reorganization Plan No. 3
 12 of 1946 (5 U.S.C. App.), are indeterminate pref-
 13 erence right leases that—

14 (A) shall be issued for an initial 20-year
 15 period; and

16 (B) as provided in paragraph (2), shall be
 17 renewable after the period described in subpara-
 18 graph (A) for 10-year renewal periods.

19 (2) REQUIREMENTS FOR RENEWAL.—A lease
 20 shall be renewed under paragraph (1)(B)—

21 (A) if the lessee has complied with the
 22 terms and conditions of the lease during the
 23 preceding lease period; and

24 (B) on the condition that, at the end of
 25 each ten-year renewal period, such reasonable

1 readjustment of the terms and conditions of the
2 lease may be prescribed by the Secretary of the
3 Interior, in consultation with the Secretary of
4 Agriculture, for the purpose of—

- 5 (i) encouraging production; or
6 (ii) addressing changing conditions
7 within the lease area.

8 (b) SUSPENSION OF OPERATIONS.—The Secretary of
9 the Interior may suspend operations under a lease de-
10 scribed in subsection (a) when—

- 11 (1) the lease can only be operated at a loss due
12 to market conditions; or
13 (2) operations are interrupted by strikes.

14 (c) PERMITS FOR USE OF SURFACE LANDS.—With
15 respect to lands subject to a lease pursuant to subsection
16 (a), the Secretary of the Interior, in consultation with the
17 Secretary of Agriculture, may issue permits for the use
18 of surface lands not included in the lease for purposes con-
19 nected with, and reasonably necessary to, the exploration,
20 development, and use of the deposits covered by the lease.

21 (d) APPLICABILITY TO MINERAL LEASES.—This sec-
22 tion shall apply with respect to all mineral leases described
23 in subsection (a), including—

- 24 (1) leases that on the date of the enactment of
25 this section are not in effect; and

1 (2) the hard rock mineral leases for the Supe-
2 rior National Forest in Minnesota identified as
3 MNES-01352 and MNES-01353.

4 (e) APPLICABILITY OF NATIONAL ENVIRONMENTAL
5 POLICY ACT OF 1969.—The National Environmental Pol-
6 icy Act of 1969 (42 U.S.C. 4331 et seq.) shall apply with
7 respect to a mineral lease described in subsection (a). In
8 the case of the renewal of the existing hard rock mineral
9 leases referred to in subsection (d)(2), the Bureau of Land
10 Management shall complete the pending environmental as-
11 sessment no later than 30 days after the date of the enact-
12 ment of this Act.

13 (f) EXCLUSION OF BOUNDARY WATERS CANOE AREA
14 WILDERNESS.—Nothing in this section may be construed
15 as permitting the prospecting for development and utiliza-
16 tion of mineral resources within the Boundary Waters
17 Canoe Area Wilderness or Mine Protection Area.

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