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SENATE

{ REPORT
119–103

BULL MOUNTAINS MINING PLAN MODIFICATION

FEBRUARY 11, 2026.—Ordered to be printed

Mr. LEE, from the Committee on Energy and Natural Resources,
submitted the following

R E P O R T

[To accompany S. 362]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 362) to allow certain Federal minerals to be mined consistent with the Bull Mountains Mining Plan Modification, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

1. On page 2, line 8, insert “until the date that is 1 year from the date of enactment of this Act” before the period at the end.

PURPOSE

The purpose of S. 362 is to allow certain Federal minerals to be mined consistent with the Bull Mountains Mining Plan Modification.

BACKGROUND AND NEED

Signal Peak Energy is currently operating the Bull Mountains Mine No. 1, an underground coal mine near Roundtop, Montana. The Mine is comprised of a checkerboard of State, Federal, and private coal. The Department of the Interior first approved the Bull Mountains Mining Plan, which initially authorized mining of 140 acres of leased federal coal lands, in August 2013. In November 2013, Signal Peak proposed a modification to its mining plan that would permit it to mine the remaining federal coal on its lease. The Department of the Interior first approved the modification ten years ago, in 2015. The approval was challenged in the federal dis-

strict court in Montana. The court vacated the Department's environmental assessment and enjoined mining in the expanded Mine area in 2017. The Department prepared a second environmental assessment in 2018, which was vacated in 2020. The Department also approved a new mining plan modification in 2018, which was vacated in 2023. In August 2023, the Department announced it would prepare an environmental impact statement, which was not scheduled to be completed until 2026.

Bull Mountains Mine faced closure as it could not access privately held reserves because Federal coal tracts obstructed access to recoverable supply and the operators were unable to secure approval of the mining plan modification it needed to continue mining. In May 2024, Senator Daines introduced S. 4432 in the 118th Congress, to require the Secretary of the Interior to allow mining of Bull Mountains Mine No. 1 in accordance with the Mining Plan Modification approved by the Department in 2020. In November 2024, the Committee on Energy and Natural Resources reported S. 4432 with an amendment in the nature of a substitute, which authorized mining of only an additional 800 acres of the lease in accordance with the 2020 Mining Plan Modification. In February 2025, Senator Daines introduced S. 362, which is identical to S. 4432, as reported by the Committee in the 118th Congress.

S. 362 was intended to enable Signal Peak to continue mining operations pending completion of the environmental impact statement and final approval of its Mining Plan Modification. In June 2025, however, the Office of Surface Mining Reclamation and Enforcement issued the Final Environmental Impact Statement and Record of Decision for Bull Mountains Mine No. 1 and the Federal Mining Plan for Lease MTM-97988 Amendment 3. In July 2025, Congress enacted Public Law 119-21, commonly known as the One Big Beautiful Bill Act, which directed the Secretary of the Interior to authorize mining of federal coal reserves pursuant to a previously approved mining plan in order to provide access to coal reserves on state or private lands.

LEGISLATIVE HISTORY

S. 362 was introduced by Senator Daines on February 3, 2025. Senator Sheehy cosponsored the bill. Representative Downing introduced a companion measure in the House of Representatives, H.R. 931, on February 4, 2025. The Committee on Energy and Natural Resources held a hearing on March 12, 2025. The Committee ordered S. 312 reported favorably with amendments on April 9, 2025. On July 4, 2025, President Trump signed the One Big Beautiful Bill Act into law. Section 50204 of Public Law 119-21, the One Big Beautiful Bill Act, authorizes mining Federal coal reserves subject to certain requirements—which the Bull Mountains Mine Plan meets—to be mined.

As discussed in the previous section, similar legislation, S. 4432, was introduced in the 118th Congress by Senator Daines on May 23, 2024. The Committee on Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining held a hearing on June 12, 2024. The Committee ordered S. 4432 to be reported favorably with an amendment in the nature of a substitute on November 19, 2024.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on April 9, 2025, by a majority vote of a quorum present, recommends that the Senate pass S. 362, if amended as described herein.

The rollcall vote on reporting the measure was 13 yeas, 7 nays as follows:

YEAS	NAYS
Mr. Lee	Mr. Heinrich
Mr. Barrasso *	Mr. Wyden *
Mr. Risch	Ms. Cantwell *
Mr. Daines	Ms. Hirono
Mr. Cotton	Mr. Hickenlooper
Mr. McCormick	Mr. Padilla
Mr. Justice	Mr. Gallego *
Mr. Cassidy	
Mrs. Hyde-Smith	
Ms. Murkowski *	
Mr. Hoeven	
Mr. King	
Ms. Cortez Masto	

* Indicates vote by proxy.

COMMITTEE AMENDMENTS

During its consideration of S. 362, the committee adopted an amendment that restricts the authorization to mine the identified Federal coal reserves to one year after the date of enactment.

SECTION-BY-SECTION ANALYSIS

Section 1. Authorization to mine Federal minerals

Section 1 defines Bull Mountains Mining Plan Modification as Amendment 3, Bull Mountains Mine No. 1, Mining Plan Modification for Federal Coal Lease MTM 97988, that was approved by Department of the Interior Principal Deputy Assistant Secretary for Land and Minerals Management on November 18, 2020. It also authorizes all Federal coal reserves leased under Federal Coal Lease MTM 97988 to be mined in accordance with the Bull Mountains Mining Plan Modification until the date that is one year from the date of enactment of this Act. This section requires the Secretary of the Interior to approve the Bull Mountains Mining Plan Modification to the extent necessary to mine the described Federal land, without modification or delay. Lastly, this section describes the Federal land identified to be mined as comprising 800 acres, more or less, located in T. 6 N., R. 27 E., Montana Principal Meridian, Musselshell County, Montana: (1) the NE $\frac{1}{4}$ of section 8, (2) the SW $\frac{1}{4}$ of section 10, and (3) the W $\frac{1}{2}$, SE $\frac{1}{4}$ of section 22.

COST AND BUDGETARY CONSIDERATIONS

On October 28, 2025, the Congressional Budget Office informed the Committee that it has determined that the budgetary impact of this bill is being actualized by the implementation of section 50204 of Public Law 119–21, the One Big Beautiful Bill Act. The

budgetary effects of that statute are accordingly integrated into the CBO baseline, and consequently S. 362 is not regarded as having any cost or other budgetary effect.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 362. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses. No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 362, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 362, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The Committee on Energy and Natural Resources has not received executive communication regarding S. 362.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 362 as ordered reported.

