Public Law 96-475
96th Congress

An Act

To provide for the exchange of certain Federal coal leases in the State of New Mexico for other Federal coal leases in that State.

Oct. 19, 1980
[H.R. 6816]

Federal coal leases in N. Mex., exchange.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any provision of law to the contrary and notwithstanding the provisions of section 2(a)(1) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 201(a)(1)), the Secretary of the Interior is authorized and directed to issue leases for coal on other Federal lands in the State of New Mexico to the owner or owners of Federal coal leases, serial numbered NM0186612 and NM0186613, upon surrender and relinquishment of such leases or portions thereof. Such exchange shall be completed within 30 months of the date of enactment of this Act: *Provided, however,* That failure of the Secretary to complete such exchange shall not prejudice the rights of the owner or owners of the designated coal leases, and the exchange shall be completed as expeditiously as possible after the expiration of such time period upon request of such owner or owners.

Description.

(b) Leases to be issued by the Secretary pursuant to the authority granted by subsection (a) of this Act shall be from within the Federal lands described as follows:

TOWNSHIP 23 NORTH, RANGE 12 WEST

Section 5: South half,
Section 6: South half,
Section 7: All,
Section 8: All,
Section 9: West half,
Section 17: East half, east half west half, northwest quarter northwest quarter,
Section 18: North half north half,
Section 20: Northeast quarter, northeast quarter northwest quarter,
Section 21: West half northwest quarter.

TOWNSHIP 23 NORTH, RANGE 13 WEST

Section 1: Northwest quarter, northwest quarter southwest quarter, north half northeast quarter, southeast quarter northeast quarter, northeast quarter southeast quarter. The selection of lands pursuant to this subsection shall be consistent with existing land use planning policy and leasing procedures established by the Secretary.

Funds exchange.

(c) The leases to be issued by the Secretary pursuant to the authority granted by subsections (a) and (b) of this Act and the leases or portions thereof to be exchanged therefor shall be of equal value. If such leases or portions thereof are unavoidably not of equal value, the Secretary is authorized to receive, from the lessee, or effective October 1, 1981, to pay to the lessee out of funds appropriated in

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advance for that purpose, cash in an amount up to 25 per centum of the value of the lease or leases to be issued by the Secretary in order to equalize the value of the leases to be exchanged.

Terms and conditions.

(d) Any exchange lease issued by the Secretary under the authority of this Act shall contain the same terms and conditions as those leases surrendered on the date the exchange takes place.

(e) Except as otherwise herein provided, any lease issued pursuant to this Act shall be consistent with the Mineral Leasing Act of 1920 as amended (30 U.S.C. 184 et seq.).

30 USC 181 note.

Approved October 19, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1200 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 96-800 accompanying S. 1455 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 126 (1980):
Aug. 18, considered and passed House.
Sept. 16, considered and passed Senate, amended, in lieu of S. 1455.
Sept. 30, House concurred in Senate amendment with amendments.
Oct. 1, Senate concurred in House amendments.