

105TH CONGRESS  
1ST SESSION

# H. R. 1917

To amend the Federal Land Policy and Management Act of 1976 to transfer to State governments the authority of the Bureau of Land Management to require bonds or other financial guarantees for the reclamation of hardrock mineral operations.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 1997

Mr. GIBBONS introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To amend the Federal Land Policy and Management Act of 1976 to transfer to State governments the authority of the Bureau of Land Management to require bonds or other financial guarantees for the reclamation of hardrock mineral operations.

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. TRANSFER OF BONDING AUTHORITY.**

4       Section 302 of the Federal Land Policy and Manage-  
5       ment Act of 1976 (43 U.S.C. 1732) is amended by adding  
6       the following new subsection at the end thereof:

1       “(e) BONDING OR OTHER FINANCIAL GUARANTEES  
2 FOR HARDROCK MINERAL RECLAMATION.—After the date  
3 of the enactment of this subsection, in lieu of requiring  
4 a bond or other financial guarantee under regulations of  
5 the Secretary for reclamation of hardrock mining oper-  
6 ations, the Secretary shall accept evidence of any financial  
7 guarantee required under State law or regulations, held  
8 or approved by a State agency for the area covered by  
9 the notice or plan of operations, and determined by the  
10 State agency to be reasonable for the amount of reclama-  
11 tion, regardless of the type of financial instruments chosen  
12 by the State for purposes of such guarantee. The Sec-  
13 retary may not reject any submitted financial instrument  
14 if such instrument is satisfactory under State law and re-  
15 deemable by the Secretary. No provision of any regula-  
16 tions of the Secretary that is inconsistent with the preced-  
17 ing provisions of this subsection shall apply to mining op-  
18 eration initiated under a notice, or conducted under a plan  
19 of operations, submitted to the Secretary after the date  
20 of the enactment of this subsection. ”.

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