

109TH CONGRESS  
1ST SESSION

# S. 1094

To amend the Mineral Leasing Act to establish procedures for the reinstatement of leases terminated due to unforeseeable circumstances.

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IN THE SENATE OF THE UNITED STATES

MAY 20, 2005

Mr. ENZI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Mineral Leasing Act to establish procedures for the reinstatement of leases terminated due to unforeseeable circumstances.

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 “Mineral Leasing Act  
5       Amendments of 2005”.

6       **SEC. 2. REINSTATEMENT OF LEASES.**

7       Section 31(d) of the Mineral Leasing Act (30 U.S.C.  
8       188(d)) is amended by striking paragraph (2) and insert-  
9       ing the following:

10               “(2) REQUIREMENT.—

1           “(A) IN GENERAL.—A lease shall not be  
2 reinstated under paragraph (1) unless—

3           “(i) for a lease canceled under sub-  
4 section (b) during the period beginning on  
5 September 1, 2001, and ending on the  
6 date that is 60 days after the date of en-  
7 actment of the Mineral Leasing Act  
8 Amendments of 2005, a lessee files a peti-  
9 tion for reinstatement of the lease (to-  
10 gether with any required back rent or roy-  
11 alty payment accruing after the date of  
12 termination of the lease) not later than the  
13 later of—

14           “(I) the date that is 120 days  
15 after the date of enactment of the  
16 Mineral Leasing Act Amendments of  
17 2005; or

18           “(II) the date that is 60 days  
19 after the date of receipt by the lessee  
20 of a notice of termination of the lease  
21 from the Secretary by certified mail;  
22 or

23           “(ii) for a lease canceled under sub-  
24 section (b) after the date that is 60 days  
25 after the date of enactment of the Mineral

1           Leasing Act Amendments of 2005, a lessee  
2           files a petition for reinstatement of the  
3           lease (together with any required back rent  
4           or royalty payment accruing after the date  
5           of termination of the lease) on or before  
6           the date that is 60 days after the date of  
7           receipt by each lessee of record of the no-  
8           tice of termination of the lease from the  
9           Secretary by certified mail.

10           “(B)   EXCEPTION.—Subparagraph   (A)  
11           shall not apply to a lessee that received a notice  
12           of termination from the Secretary on a date  
13           that is not later than 13 months after the date  
14           of termination of the lease.”

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