

111TH CONGRESS
1ST SESSION

S. 719

To direct the Secretary of the Interior to notify surface estate owners in cases in which the leasing of Federal minerals underlying the land are to be leased for oil and gas development.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2009

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

A BILL

To direct the Secretary of the Interior to notify surface estate owners in cases in which the leasing of Federal minerals underlying the land are to be leased for oil and gas development.

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 “Surface Estate Owner
5 Notification Act”.

6 **SEC. 2. SURFACE OWNER NOTIFICATION.**

7 (a) DEFINITIONS.—In this Act:

1 (1) LEASE.—The term “lease” means a lease
2 that—

3 (A) is issued by the Secretary under the
4 Mineral Leasing Act (30 U.S.C. 181 et seq.) or
5 any other law; and

6 (B) provides for development of oil and gas
7 resources (including coalbed methane) owned by
8 the United States.

9 (2) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (b) NOTIFICATION REQUIREMENTS.—

12 (1) IN GENERAL.—The Secretary shall—

13 (A) at least 45 days before a lease sale,
14 submit to the surface estate owner of the land
15 subject to the lease written notice of the lease
16 sale;

17 (B) not later than 10 working days after
18 the date on which a lease is issued, submit to
19 the surface estate owner notice of the identity
20 of the lessee;

21 (C) notify the surface estate owner in writ-
22 ing concerning any subsequent decisions regard-
23 ing a lease, such as modifying or waiving stipu-
24 lations and approving rights of way; and

1 (D) not later than 5 days after the date of
2 issuance of a drilling permit under a lease, sub-
3 mit to the surface estate owner notice of the
4 issuance of the drilling permit.

5 (2) INCLUSIONS.—A written notice under para-
6 graph (1)(A) shall include information on—

7 (A) split estates; and

8 (B) the rights and responsibilities of land-
9 owners.

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