

113TH CONGRESS
1ST SESSION

S. 366

To amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

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

A BILL

To amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SMALL MINER WAIVERS TO CLAIM MAINTENANCE FEES.**
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3 (a) IN GENERAL.—Section 10101(d)(3) of the Omni-
 4 bus Budget Reconciliation Act of 1993 (30 U.S.C.
 5 28f(d)(3)) is amended by striking “for any reason, the
 6 claimant shall have a period of 60 days after receipt of
 7 written notification of the defect or defects by the Bureau
 8 of Land Management to:” and inserting “for any reason
 9 (including the failure to timely file a small miner’s mainte-
 10 nance fee waiver application or an affidavit of annual labor
 11 associated with the application and required application
 12 fees), the claimant shall have a period of 60 days after
 13 receipt of written notification of the 1 or more defects pro-
 14 vided by the Bureau of Land Management by registered
 15 mail to”.

16 (b) TRANSITION RULES.—The claimholder of claims
 17 numbered AA023149, AA023163, AA047913, AA047914,
 18 AA047915, AA047916, AA047917, AA047918, and
 19 AA047919 (as of December 29, 2004) shall be consid-
 20 ered—

21 (1) to have received a first half final certificate
 22 for application AA072648 (associated with the
 23 claims) before September 30, 1994; and

24 (2) to qualify for relief under section
 25 10101(d)(3) of the Omnibus Budget Reconciliation
 26 Act of 1993 (30 U.S.C. 28f(d)(3)) and have the op-

1 portunity to cure under that section for any prior
2 period for which 1 or more defects existed or there
3 was a failure to pay claim maintenance fees.

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