

112TH CONGRESS
1ST SESSION

S. 303

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 8, 2011

Ms. MURKOWSKI (for herself and Mr. BEGICH) 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.**
 2

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.—

17 (1) The claimholder of claims numbered
 18 AA023149, AA023163, AA047913, AA047914,
 19 AA047915, AA047916, AA047917, AA047918, and
 20 AA047919 (as of December 29, 2004) shall be con-
 21 sidered—

22 (A) to have received a first half final cer-
 23 tificate for application AA072648 (associated
 24 with the claims) before September 30, 1994;
 25 and

1 (B) to qualify for relief under section
2 10101(d)(3) of the Omnibus Budget Reconcili-
3 ation Act of 1993 (30 U.S.C. 28f(d)(3)) and
4 have the opportunity to cure under that section
5 for any prior period for which 1 or more defects
6 existed or there was a failure to pay claim
7 maintenance fees.

8 (2) The claims numbered AAFF057833,
9 AKFF057834, AKFF057840, AKFF084389,
10 AKFF085204, AKFF096323, AKFF086324,
11 AKFF086267, AKFF084387, and AKFF084388
12 shall be—

13 (A) considered to qualify for relief under
14 section 10101(d)(3) of the Omnibus Budget
15 Reconciliation Act of 1993 (30 U.S.C.
16 28f(d)(3)); and

17 (B) given notice of defect and the oppor-
18 tunity to cure.

○