

109TH CONGRESS  
1ST SESSION

# H. R. 485

To provide that the royalty rate on the output from Federal lands of potassium and potassium compounds from the mineral sylvite in the 5-year period beginning on the date of the enactment of this Act shall be reduced to 1.0 percent, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2005

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

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## A BILL

To provide that the royalty rate on the output from Federal lands of potassium and potassium compounds from the mineral sylvite in the 5-year period beginning on the date of the enactment of this Act shall be reduced to 1.0 percent, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Potash Royalty Reduc-  
5 tion Act of 2005”.

1 **SEC. 2. POTASSIUM AND POTASSIUM COMPOUNDS FROM**  
2 **SYLVITE.**

3 (a) **ROYALTY RATE.**—Notwithstanding section  
4 102(a)(9) of the Federal Land Policy and Management  
5 Act of 1976 (43 U.S.C. 1701(a)(9)), section 2 of the Act  
6 of February 7, 1927 (30 U.S.C. 282) and the term of any  
7 lease issued under such section 2, the royalty rate on the  
8 quantity or gross value of the output from Federal lands  
9 of potassium and potassium compounds from the mineral  
10 sylvite at the point of shipment to market in the 5-year  
11 period beginning on the date of the enactment of this Act  
12 shall be 1.0 percent.

13 (b) **RECLAMATION FUND.**—Fifty percentum of any  
14 royalties paid pursuant to this Act during the 5-year pe-  
15 riod referred to in subsection (a), together with any inter-  
16 est earned from the date of payment, shall be paid by the  
17 Secretary of the Treasury to the payor of the royalties  
18 to be used solely for land reclamation purposes in accord-  
19 ance with a schedule to implement a reclamation plan for  
20 the lands for which the royalties are paid. No payment  
21 shall be made by the Secretary of the Treasury pursuant  
22 to this subsection until the Secretary of the Interior re-  
23 ceives from the payor of the royalties, and approves, the  
24 reclamation plan and schedule, and submits the approved  
25 schedule to the Secretary of the Treasury. The share of  
26 royalties held by the Secretary of the Treasury pursuant

1 to this subsection, and interest earned thereon, shall be  
2 available until paid pursuant to this subsection, without  
3 further appropriation; shall not be considered as money  
4 received under section 35 of the Mineral Leasing Act (30  
5 U.S.C. 191) for the purpose of revenue allocation; and  
6 shall not be reduced by any administrative or other costs  
7 incurred by the United States.

8       (c) STUDY AND REPORT.—After the end of the 4-  
9 year period beginning on the date of the enactment of this  
10 Act, and before the end of the 5-year period beginning  
11 on that date, the Secretary of the Interior shall report to  
12 the Congress on the effects of the royalty reduction under  
13 this Act, including a recommendation on whether the re-  
14 duced royalty rate for potassium from sylvite should apply  
15 after the end of the 5-year period.

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