

104TH CONGRESS
1ST SESSION

H. R. 2074

To designate certain Bureau of Land Management Land in the State of Montana to preserve unique cultural and natural features.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1995

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

A BILL

To designate certain Bureau of Land Management Land in the State of Montana to preserve unique cultural and natural features.

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 referred to as the “Sweetgrass Hills
5 Protection Act of 1995”.

6 **SEC. 2. SPECIAL MANAGEMENT AREA.**

7 (a) IN GENERAL.—For the purpose of conserving,
8 protecting, and enhancing the exceptional scenic, wildlife,
9 water quality, and cultural characteristics of lands along
10 the Sweetgrass Hills in north central Montana, there is

1 hereby established the Sweetgrass Hills Natural Area
2 within the Bureau of Land Management's Sweetgrass
3 Hills Area of Critical Environmental Concern (ACEC) as
4 identified in the West HiLine Resource Management Plan
5 in the State of Montana (hereinafter in this Act referred
6 to as the "natural area").

7 (b) AREA INCLUDED.—The natural area shall consist
8 of the lands, waters, and interests therein within the area
9 generally depicted on the map entitled "Boundary
10 Map, . . .", numbered _____, and Dated
11 _____. The map shall be on file and available for
12 public inspection in the office of the Bureau of Land Man-
13 agement, Department of the Interior. The Secretary of the
14 Interior (hereinafter in this Act referred to as the "Sec-
15 retary") may from time to time make minor revisions in
16 the boundary of the natural area to promote management
17 effectiveness and efficiency in the furtherance of this Act.

18 **SEC. 3. ADMINISTRATION.**

19 (a) IN GENERAL.—The Secretary shall administer
20 the natural area in accordance with this Act and with the
21 provisions of law generally applicable to units of the Bu-
22 reau of Land Management. In the administration of such
23 natural area, the Secretary may utilize such statutory au-
24 thority as may be available to him for the conservation
25 of wildlife, natural and cultural resources, and water qual-

1 ity as he deems necessary to carry out the purposes of
2 this Act.

3 (b) HUNTING AND FISHING.—The Secretary shall
4 permit hunting and fishing on lands and waters within the
5 natural area in accordance with applicable Federal and
6 State law.

7 **SEC. 4. ACQUISITION OF LANDS.**

8 The Secretary is directed to acquire lands or interests
9 in lands within the boundaries of the natural area that
10 are necessary to carry out the purposes of this Act by do-
11 nation, purchase with donation or appropriated funds, or
12 exchange. Lands within the boundaries of the natural area
13 owned by the State of Montana or any political subdivision
14 thereof may only be acquired by donation or exchange.

15 **SEC. 5. MINERALS AND MINING.**

16 (a) WITHDRAWALS.—After the enactment of this Act:

17 (1) Lands within the natural area shall not be
18 open to location of mining claims under the mining
19 laws of the United States.

20 (2) The Secretary shall not issue any lease
21 under the mineral leasing or geothermal leasing laws
22 of the United States for lands within the natural
23 area.

24 (3) Lands within the natural area shall not be
25 available for disposal of mineral materials under the

1 Act of July 31, 1947, commonly known as the Mate-
2 rials Act of 1947 (30 U.S.C. 601 and following).

3 (b) LIMITATION ON PATENT ISSUANCE.—(1) Not-
4 withstanding any other provision of law, no patents shall
5 be issued after July 19, 1995, for any location or claim
6 made in the natural area under the mining laws of the
7 United States.

8 (2) Notwithstanding any statute of limitations or
9 similar restriction otherwise applicable, any party claiming
10 to have been deprived of any property right enactment of
11 paragraph (1) may file in the United States Claims Court
12 a claim against the United States within one year after
13 the date of enactment of this Act seeking compensation
14 for such property right. The United States Claims Court
15 shall have jurisdiction to render judgement on such claim
16 in accordance with section 1491 of title 28, United States
17 Code.

18 (c) PROHIBITION.—No Federal lands may be used in
19 connection with any mining or mining related activities
20 within the Natural Area.

21 (d) RECLAMATION.—No mining or mining related ac-
22 tivities involving any surface disturbance of lands or wa-
23 ters within such area, including disturbances through sub-
24 sistence, shall be permitted except in accordance with re-
25 quirements imposed by the Secretary, including require-

1 ments for reasonable reclamation of disturbed lands to a
2 visual and hydrological condition as close as practicable
3 to their premining condition.

4 (e) MINING CLAIM VALIDITY REVIEW.—The Sec-
5 retary shall undertake and complete within three years
6 after the enactment of this Act an expedited program to
7 examine all unpatented mining claims, including those for
8 which a patent application has been filed, within the natu-
9 ral area. Upon determination by the Secretary that the
10 elements of contest are present, the Secretary shall imme-
11 diately determine the validity of such claims. If a claim
12 is determined to be invalid, the Secretary shall declare the
13 claim null and void.

14 **SEC. 6. AUTHORIZATION FOR APPROPRIATIONS.**

15 There are authorized to be appropriated such sums
16 as may be necessary to carry out the purposes of this Act.

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