

AMENDMENT TO RULES COMMITTEE PRINT

119-8

OFFERED BY MR. AMODEI OF NEVADA

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17____. HARDROCK MINING MILL SITES; ABANDONED**
2 **HARDROCK MINE FUND.**

3 (a) MULTIPLE MILL SITES.—Section 2337 of the Re-
4 vised Statutes (30 U.S.C. 42) is amended by adding at
5 the end the following:

6 “(c) ADDITIONAL MILL SITES.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) MILL SITE.—The term ‘mill site’
9 means a location of public land that is reason-
10 ably necessary for waste rock or tailings dis-
11 posal or other operations reasonably incident to
12 mineral development on, or production from
13 land included in a plan of operations.

14 “(B) OPERATIONS; OPERATOR.—The
15 terms ‘operations’ and ‘operator’ have the
16 meanings given those terms in section 3809.5
17 of title 43, Code of Federal Regulations (as in

1 effect on the date of enactment of this sub-
2 section).

3 “(C) PLAN OF OPERATIONS.—The term
4 ‘plan of operations’ means a plan of operations
5 that an operator must submit and the Secretary
6 of the Interior or the Secretary of Agriculture,
7 as applicable, must approve before an operator
8 may begin operations, in accordance with, as
9 applicable—

10 “(i) subpart 3809 of title 43, Code of
11 Federal Regulations (or successor regula-
12 tions establishing application and approval
13 requirements); and

14 “(ii) part 228 of title 36, Code of
15 Federal Regulations (or successor regula-
16 tions establishing application and approval
17 requirements).

18 “(D) PUBLIC LAND.—The term ‘public
19 land’ means land owned by the United States
20 that is open to location under sections 2319
21 through 2344 of the Revised Statutes (30
22 U.S.C. 22 et seq.), including—

23 “(i) land that is mineral-in-character
24 (as defined in section 3830.5 of title 43,
25 Code of Federal Regulations (as in effect

1 on the date of enactment of this sub-
2 section));

3 “(ii) nonmineral land (as defined in
4 section 3830.5 of title 43, Code of Federal
5 Regulations (as in effect on the date of en-
6 actment of this subsection)); and

7 “(iii) land where the mineral char-
8 acter has not been determined.

9 “(2) IN GENERAL.—Notwithstanding sub-
10 sections (a) and (b), where public land is needed by
11 the proprietor of a lode or placer claim for oper-
12 ations in connection with any lode or placer claim
13 within the proposed plan of operations, the propri-
14 etor may—

15 “(A) locate and include within the plan of
16 operations as many mill site claims under this
17 subsection as are reasonably necessary for its
18 operations; and

19 “(B) use or occupy public land in accord-
20 ance with an approved plan of operations.

21 “(3) MILL SITES CONVEY NO MINERAL
22 RIGHTS.—A mill site under this subsection does not
23 convey mineral rights to the locator.

1 “(4) SIZE OF MILL SITES.—A location of a sin-
2 gle mill site under this subsection shall not exceed
3 5 acres.

4 “(5) MILL SITE AND LODE OR PLACER CLAIMS
5 ON SAME TRACTS OF PUBLIC LAND.—A mill site
6 may be located under this subsection on a tract of
7 public land on which the claimant or operator main-
8 tains a previously located lode or placer claim.

9 “(6) EFFECT ON MINING CLAIMS.—The loca-
10 tion of a mill site under this subsection shall not af-
11 fect the validity of any lode or placer claim, or any
12 rights associated with such a claim.

13 “(7) PATENTING.—A mill site under this sec-
14 tion shall not be eligible for patenting.

15 “(8) SAVINGS PROVISIONS.—Nothing in this
16 subsection—

17 “(A) diminishes any right (including a
18 right of entry, use, or occupancy) of a claimant;

19 “(B) creates or increases any right (includ-
20 ing a right of exploration, entry, use, or occu-
21 pancy) of a claimant on land that is not open
22 to location under the general mining laws;

23 “(C) modifies any provision of law or any
24 prior administrative action withdrawing land
25 from location or entry;

1 “(D) limits the right of the Federal Gov-
2 ernment to regulate mining and mining-related
3 activities (including requiring claim validity ex-
4 aminations to establish the discovery of a valu-
5 able mineral deposit) in areas withdrawn from
6 mining, including under—

7 “(i) the general mining laws;

8 “(ii) the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1701
10 et seq.);

11 “(iii) the Wilderness Act (16 U.S.C.
12 1131 et seq.);

13 “(iv) sections 100731 through 100737
14 of title 54, United States Code;

15 “(v) the Endangered Species Act of
16 1973 (16 U.S.C. 1531 et seq.);

17 “(vi) division A of subtitle III of title
18 54, United States Code (commonly re-
19 ferred to as the ‘National Historic Preser-
20 vation Act’); or

21 “(vii) section 4 of the Act of July 23,
22 1955 (commonly known as the ‘Surface
23 Resources Act of 1955’) (69 Stat. 368,
24 chapter 375; 30 U.S.C. 612);

1 “(E) restores any right (including a right
2 of entry, use, or occupancy, or right to conduct
3 operations) of a claimant that—

4 “(i) existed prior to the date on which
5 the land was closed to, or withdrawn from,
6 location under the general mining laws;
7 and

8 “(ii) that has been extinguished by
9 such closure or withdrawal; or

10 “(F) modifies section 404 of division E of
11 the Consolidated Appropriations Act, 2024
12 (Public Law 118–42).”.

13 (b) ABANDONED HARDROCK MINE FUND.—

14 (1) ESTABLISHMENT.—There is established in
15 the Treasury of the United States a separate ac-
16 count, to be known as the “Abandoned Hardrock
17 Mine Fund” (referred to in this subsection as the
18 “Fund”).

19 (2) SOURCE OF DEPOSITS.—Any amounts col-
20 lected by the Secretary of the Interior pursuant to
21 the claim maintenance fee under section 10101(a)(1)
22 of the Omnibus Budget Reconciliation Act of 1993
23 (30 U.S.C. 28f(a)(1)) on mill sites located under
24 subsection (c) of section 2337 of the Revised Stat-

1 utes (30 U.S.C. 42) shall be deposited into the
2 Fund.

3 (3) USE.—The Secretary of the Interior may
4 make expenditures from amounts available in the
5 Fund, subject to the availability of appropriations,
6 only to carry out section 40704 of the Infrastructure
7 Investment and Jobs Act (30 U.S.C. 1245).

8 (4) ALLOCATION OF FUNDS.—Amounts made
9 available under paragraph (3)—

10 (A) shall be allocated in accordance with
11 section 40704(e)(1) of the Infrastructure In-
12 vestment and Jobs Act (30 U.S.C. 1245(e)(1));
13 and

14 (B) may be transferred in accordance with
15 section 40704(e)(2) of that Act (30 U.S.C.
16 1245(e)(2)).

17 (c) CLERICAL AMENDMENTS.—Section 10101 of the
18 Omnibus Budget Reconciliation Act of 1993 (30 U.S.C.
19 28f) is amended—

20 (1) by striking “the Mining Law of 1872 (30
21 U.S.C. 28–28e)” each place it appears and inserting
22 “sections 2319 through 2344 of the Revised Stat-
23 utes (30 U.S.C. 22 et seq.)”;

24 (2) in subsection (a)—

25 (A) in paragraph (1)—

1 (i) in the second sentence, by striking
2 “Such claim maintenance fee” and insert-
3 ing the following:

4 “(B) FEE.—The claim maintenance fee
5 under subparagraph (A)”; and

6 (ii) in the first sentence, by striking
7 “The holder of” and inserting the fol-
8 lowing:

9 “(A) IN GENERAL.—The holder of”; and
10 (B) in paragraph (2)—

11 (i) in the second sentence, by striking
12 “Such claim maintenance fee” and insert-
13 ing the following:

14 “(B) FEE.—The claim maintenance fee
15 under subparagraph (A)”; and

16 (ii) in the first sentence, by striking
17 “The holder of” and inserting the fol-
18 lowing:

19 “(A) IN GENERAL.—The holder of”; and
20 (3) in subsection (b)—

21 (A) in the second sentence, by striking
22 “The location fee” and inserting the following:
23 “(2) FEE.—The location fee”; and

1 (B) in the first sentence, by striking “The
2 claim main tenance fee” and inserting the fol-
3 lowing:
4 “(1) IN GENERAL.—The claim maintenance
5 fee”.

