

Union Calendar No. 336

119TH CONGRESS
1ST SESSION

H. R. 1366

[Report No. 119–386]

To provide for the location of multiple hardrock mining mill sites, to establish the Abandoned Hardrock Mine Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2025

Mr. AMODEI of Nevada (for himself and Mr. HORSFORD) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 25, 2025

Additional sponsor: Mr. BEGICH

NOVEMBER 25, 2025

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on February 14, 2025]

A BILL

To provide for the location of multiple hardrock mining mill sites, to establish the Abandoned Hardrock Mine Fund, 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 “Mining Regulatory Clar-*
 5 *ity Act”.*

6 **SEC. 2. HARDROCK MINING MILL SITES.**

7 (a) *MULTIPLE MILL SITES.*—*Section 2337 of the Re-*
 8 *vised Statutes of the United States (30 U.S.C. 42) is amend-*
 9 *ed by adding at the end the following:*

10 “(c) *ADDITIONAL MILL SITES.*—

11 “(1) *DEFINITIONS.*—*In this subsection:*

12 “(A) *MILL SITE.*—*The term ‘mill site’*
 13 *means a location of public land that is reason-*
 14 *ably necessary for waste rock or tailings disposal*
 15 *or other operations reasonably incident to min-*
 16 *eral development on, or production from land in-*
 17 *cluded in a plan of operations.*

18 “(B) *OPERATIONS; OPERATOR.*—*The terms*
 19 *‘operations’ and ‘operator’ have the meanings*
 20 *given those terms in section 3809.5 of title 43,*
 21 *Code of Federal Regulations (as in effect on the*
 22 *date of enactment of this subsection).*

23 “(C) *PLAN OF OPERATIONS.*—*The term*
 24 *‘plan of operations’ means a plan of operations*
 25 *that an operator must submit and the Secretary*

1 *of the Interior or the Secretary of Agriculture, as*
 2 *applicable, must approve before an operator may*
 3 *begin operations, in accordance with, as applica-*
 4 *ble—*

5 “(i) *subpart 3809 of title 43, Code of*
 6 *Federal Regulations (or successor regula-*
 7 *tions establishing application and approval*
 8 *requirements); and*

9 “(ii) *part 228 of title 36, Code of Fed-*
 10 *eral Regulations (or successor regulations*
 11 *establishing application and approval re-*
 12 *quirements).*

13 “(D) *PUBLIC LAND.—The term ‘public land’*
 14 *means land owned by the United States that is*
 15 *open to location under sections 2319 through*
 16 *2344 of the Revised Statutes of the United States*
 17 *(30 U.S.C. 22 et seq.), including—*

18 “(i) *land that is mineral-in-character*
 19 *(as defined in section 3830.5 of title 43,*
 20 *Code of Federal Regulations (as in effect on*
 21 *the date of enactment of this subsection));*

22 “(ii) *nonmineral land (as defined in*
 23 *section 3830.5 of title 43, Code of Federal*
 24 *Regulations (as in effect on the date of en-*
 25 *actment of this subsection)); and*

1 “(iii) land where the mineral character
2 has not been determined.

3 “(2) *IN GENERAL.*—Notwithstanding subsections
4 (a) and (b), where public land is needed by the pro-
5 prietor of a lode or placer claim for operations in
6 connection with any lode or placer claim within the
7 proposed plan of operations, the proprietor may—

8 “(A) locate and include within the plan of
9 operations as many mill site claims under this
10 subsection as are reasonably necessary for its op-
11 erations; and

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

14 “(3) *MILL SITES CONVEY NO MINERAL RIGHTS.*—
15 A mill site under this subsection does not convey min-
16 eral rights to the locator.

17 “(4) *SIZE OF MILL SITES.*—A location of a sin-
18 gle mill site under this subsection shall not exceed 5
19 acres.

20 “(5) *MILL SITE AND LODE OR PLACER CLAIMS*
21 *ON SAME TRACTS OF PUBLIC LAND.*—A mill site may
22 be located under this subsection on a tract of public
23 land on which the claimant or operator maintains a
24 previously located lode or placer claim.

1 “(6) *EFFECT ON MINING CLAIMS.*—*The location*
2 *of a mill site under this subsection shall not affect the*
3 *validity of any lode or placer claim, or any rights as-*
4 *sociated with such a claim.*

5 “(7) *PATENTING.*—*A mill site under this section*
6 *shall not be eligible for patenting.*

7 “(8) *SAVINGS PROVISIONS.*—*Nothing in this sub-*
8 *section—*

9 “(A) *diminishes any right (including a*
10 *right of entry, use, or occupancy) of a claimant;*

11 “(B) *creates or increases any right (includ-*
12 *ing a right of exploration, entry, use, or occu-*
13 *pancy) of a claimant on land that is not open*
14 *to location under the general mining laws;*

15 “(C) *modifies any provision of law or any*
16 *prior administrative action withdrawing land*
17 *from location or entry;*

18 “(D) *limits the right of the Federal Govern-*
19 *ment to regulate mining and mining-related ac-*
20 *tivities (including requiring claim validity ex-*
21 *aminations to establish the discovery of a valu-*
22 *able mineral deposit) in areas withdrawn from*
23 *mining, including under—*

24 “(i) *the general mining laws;*

1 “(ii) *the Federal Land Policy and*
2 *Management Act of 1976 (43 U.S.C. 1701 et*
3 *seq.)*;

4 “(iii) *the Wilderness Act (16 U.S.C.*
5 *1131 et seq.)*;

6 “(iv) *sections 100731 through 100737*
7 *of title 54, United States Code*;

8 “(v) *the Endangered Species Act of*
9 *1973 (16 U.S.C. 1531 et seq.)*;

10 “(vi) *division A of subtitle III of title*
11 *54, United States Code (commonly referred*
12 *to as the ‘National Historic Preservation*
13 *Act’)*; or

14 “(vii) *section 4 of the Act of July 23,*
15 *1955 (commonly known as the ‘Surface Re-*
16 *sources Act of 1955’)* (69 Stat. 368, chapter
17 375; 30 U.S.C. 612);

18 “(E) *restores any right (including a right of*
19 *entry, use, or occupancy, or right to conduct op-*
20 *erations) of a claimant that—*

21 “(i) *existed prior to the date on which*
22 *the land was closed to, or withdrawn from,*
23 *location under the general mining laws; and*

24 “(ii) *that has been extinguished by*
25 *such closure or withdrawal; or*

1 “(F) modifies section 404 of division E of
2 the Consolidated Appropriations Act, 2024 (Pub-
3 lic Law 118–42).”.

4 (b) *ABANDONED HARDROCK MINE FUND.*—

5 (1) *ESTABLISHMENT.*—There is established in
6 the Treasury of the United States a separate account,
7 to be known as the “Abandoned Hardrock Mine
8 Fund” (referred to in this subsection as the “Fund”).

9 (2) *SOURCE OF DEPOSITS.*—Any amounts col-
10 lected by the Secretary of the Interior pursuant to the
11 claim maintenance fee under section 10101(a)(1) of
12 the Omnibus Budget Reconciliation Act of 1993 (30
13 U.S.C. 28f(a)(1)) on mill sites located under sub-
14 section (c) of section 2337 of the Revised Statutes of
15 the United States (30 U.S.C. 42) shall be deposited
16 into the Fund.

17 (3) *USE.*—The Secretary of the Interior may
18 make expenditures from amounts available in the
19 Fund, without further appropriations, only to carry
20 out section 40704 of the Infrastructure Investment
21 and Jobs Act (30 U.S.C. 1245).

22 (4) *ALLOCATION OF FUNDS.*—Amounts made
23 available under paragraph (3)—

1 (A) shall be allocated in accordance with
 2 section 40704(e)(1) of the Infrastructure Invest-
 3 ment and Jobs Act (30 U.S.C. 1245(e)(1)); and

4 (B) may be transferred in accordance with
 5 section 40704(e)(2) of that Act (30 U.S.C.
 6 1245(e)(2)).

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

10 (1) by striking “the Mining Law of 1872 (30
 11 U.S.C. 28–28e)” each place it appears and inserting
 12 “sections 2319 through 2344 of the Revised Statutes
 13 of the United States (30 U.S.C. 22 et seq.)”;

14 (2) in subsection (a)—

15 (A) in paragraph (1)—

16 (i) in the second sentence, by striking
 17 “Such claim maintenance fee” and insert-
 18 ing the following:

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

21 (ii) in the first sentence, by striking
 22 “The holder of” and inserting the following:

23 “(A) IN GENERAL.—The holder of”; and

24 (B) in paragraph (2)—

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 following:*

8 *“(A) IN GENERAL.—The holder of”*; and
9 *(3) in subsection (b)—*

10 *(A) in the second sentence, by striking “The*
11 *location fee” and inserting the following:*

12 *“(2) FEE.—The location fee”*; and

13 *(B) in the first sentence, by striking “The*
14 *claim main tenance fee” and inserting the fol-*
15 *lowing:*

16 *“(1) IN GENERAL.—The claim maintenance fee”.*

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