

106TH CONGRESS  
1ST SESSION

# H. R. 397

To amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1999

Mr. GEORGE MILLER of California (for himself, Mr. RAHALL, Mr. GUTIERREZ, Mr. DEFAZIO, and Mr. LEWIS of Georgia) introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines.

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 “Elimination of Double  
5 Subsidies for the Hardrock Mining Industry Act of 1999”.

6 **SEC. 2. REPEAL OF DEPLETION ALLOWANCE FOR CERTAIN**  
7 **HARDROCK MINES.**

8 (a) IN GENERAL.—The first sentence of section  
9 611(a) of the Internal Revenue Code of 1986 is amended

1 by inserting after “mines” the following: “(except for  
2 hardrock mines located on land currently subject to the  
3 general mining laws or on lands patented under the gen-  
4 eral mining laws)”.

5 (b) GENERAL MINING LAW DEFINED.—Section 611  
6 of such Code is amended by redesignating subsection (c)  
7 as subsection (d) and inserting after subsection (b) the  
8 following new subsection:

9 “(c) GENERAL MINING LAW DEFINED.—For pur-  
10 poses of subsection (a), the term ‘general mining laws’  
11 means those Acts which are generally codified as chapters  
12 2, 12A, and 16, and sections 161 and 162 of title 30 of  
13 the United States Code.”

14 **SEC. 3. EFFECTIVE DATE.**

15 The amendments made by section 2 shall apply to  
16 taxable years beginning after December 31, 1998.

○