

**H.R. 2925, Mining Regulatory Clarity Act of 2023**

As ordered reported by the House Committee on Natural Resources on February 6, 2024

By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	No
		<b>Mandate Effects</b>	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and zero.			

H.R. 2925 would expand the rights of hardrock mining claimants on federal land. Under the bill, claimants would have the right to use and occupy public land without having first discovered a valuable mineral deposit so long as they make timely payments of the required fees to stake and maintain their claim. Under current law, some claimants can have those fees waived, but the bill would not limit claimants mining rights if they received such a waiver. H.R. 2925 also would allow claimants to complete activities on unclaimed public land if the activity is associated with mining operations on claimed land.

**Background**

The General Mining Act of 1872 allows individuals and commercial entities to prospect for hardrock (or nonfuel) minerals, such as gold, silver, and copper, on land in the public domain (primarily, federal land in western states). When miners make a discovery, they can locate, or stake, a claim, which gives them the right to mine, extract, and process those materials.

Under current law, those individuals and entities must pay an annual maintenance fee of \$165 per claim (which is adjusted over time to account for inflation) to the Department of the Interior (DOI), unless those fees are waived. However, the claimant is required to discover a physical exposure of the mineral deposits within the claim boundaries to have valid rights on

See also

[CBO's Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)



that mineral. Without a discovery that solidifies those mining rights, the claimant loses the mining claim if the federal land is withdrawn from mining activities.

### **Federal Costs**

By removing the requirement to have first discovered minerals on the land to receive mining rights, H.R. 2925 would allow claimants who have not yet discovered minerals on the land to preserve their right to explore, discover, and develop minerals if the land where their mining claim is located is later withdrawn from being eligible for mining.

CBO is aware of two current proposals to withdraw federal land from mining that would affect unconsolidated mining claims: 3,700 acres in the Hassayampa River corridor in Arizona, and 221,000 acres in the Thompson Divide in Colorado. According to DOI, those two areas have a total of about 1,100 unconsolidated mining claims.

Under H.R. 2925, if those areas are withdrawn from mining, those unconsolidated claims would remain active, and CBO expects they would continue to pay annual maintenance fees. Currently, those fees total about \$200,000 a year. The receipts from those fees are classified in the budget as discretionary offsetting collections; that is, as a reduction in discretionary spending. Spending of those collections is subject to annual appropriation. Assuming appropriation of those future collections, CBO estimates that the additional amounts collected under the bill would be spent soon thereafter so that the net effect on discretionary spending would be negligible.

The CBO staff contact for this estimate is Lilia Ledezma. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

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