



AMENDMENT NO. _____ Calendar No. _____

Purpose: To lower energy costs and preserve jobs in the energy and mining sector by protecting them from new taxes.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

AMENDMENT NO 5411

To pr By Barrasso 1.

To: Amdt No. 5194

Refer _____ id

3

Page(s)

GPO: 2010 63-070 (mac)

AMENDMENT intended to be proposed by MR. BARRASSO to the amendment (No. 5194) proposed by Mr. Schumer

Viz:

1 At the end of part 1 of subtitle A of title I, add the
2 following:

3 **SEC. 1010 . ALLOWANCE OF CERTAIN DEDUCTIONS IN DE-**
4 **TERMINING APPLICABLE FINANCIAL STATE-**
5 **MENT INCOME.**

6 (a) IN GENERAL.—Section 56A(c), as added by sec-
7 tion 10101, is amended by redesignating paragraph (15)
8 as paragraph (16) and by inserting after paragraph (14)
9 the following new paragraph:

1 “(15) ADJUSTMENT FOR THE PRODUCTION OF
2 OIL, COAL, AND NATURAL GAS AND FOR MINING.—

3 “(A) IN GENERAL.—Adjusted financial
4 statement income shall be—

5 “(i) appropriately adjusted to dis-
6 regard any amount of qualified expense
7 that is taken into account on the tax-
8 payer’s applicable financial statement, and

9 “(ii) reduced by the amount of quali-
10 fied expenses which are deductible under
11 this chapter to the extent allowed as a de-
12 duction in computing taxable income for
13 the taxable year.

14 “(B) QUALIFIED EXPENSES.—For pur-
15 poses of this paragraph, the term ‘qualified ex-
16 penses’ means—

17 “(i) any intangible drilling and devel-
18 opment costs (within the meaning of sec-
19 tion 263(c)),

20 “(ii) geological and geophysical ex-
21 penditures (within the meaning of section
22 167(h)),

23 “(iii) qualified tertiary injectant ex-
24 penses (as defined in section 193(b)),

1 “(iv) expenses to which sections 616
2 and 617 apply, and

3 “(v) amounts allowable as a depletion
4 deduction under section 611.”.

5 **SEC. 1010 . PERMANENT EXTENSION OF LIMITATION ON**
6 **DEDUCTION FOR STATE AND LOCAL, ETC.,**
7 **TAXES.**

8 (a) IN GENERAL.—Paragraph (6) of section 164(b)
9 is amended by striking “, and before January 1, 2026”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 this section shall apply to taxable years beginning after
12 December 31, 2022.

Handwritten notes:
Don't forget
to check
the effective date
of the amendment