

May 16, 2023

Dear Members of Congress,

On behalf of our millions of members across the country, the undersigned organizations support the immediate passage of the “Clean Energy Minerals Reform Act of 2023”, a bill that would update the antiquated hardrock mining law that has governed public lands mining operations in the United States for 151 years.

Our hardrock mining law dates back to 1872, when the United States incentivized colonization and settlement of what is now the Western part of the country. The mining law allows anyone to stake claims on public land and extract the gold, copper, uranium, and other minerals from the ground without paying any royalties to the public. With an increased focus on the raw materials needed for clean energy supply chains to electrify our economy, there has never been a more important and compelling moment for updating the mining law.

The 1872 Mining Law contains no environmental or community protections. It threatens Indigenous and other mining-affected communities and the scarce drinking water upon which they depend. Hardrock mining releases arsenic, mercury, and lead into communities’ air and waters. According to the Environmental Protection Agency, 40 percent of Western headwaters are polluted by mining. In fact, the EPA’s Toxics Release Inventory has consistently shown that the hardrock industry releases more toxic chemicals than any other industry.

Even when mining operations cease, the destruction they leave behind impacts communities for generations. Hundreds of thousands of hazardous abandoned mines scar the West, polluting water and land and causing serious hazards. Without dedicated funding for reclamation, these old mines cost U.S. taxpayers tens of billions of dollars to clean up. Congress established a hardrock mines reclamation fund in the Infrastructure Investment and Jobs Act, but appropriated only \$5 million in FY 23.

Since 1872, hardrock mining companies have taken more than \$300 billion worth of minerals from public land, without paying a dime in royalties to taxpayers. The Clean Energy Minerals Reform Act of 2023 provides a fair return to taxpayers for our minerals.

For 151 years, the hardrock mining law has prioritized the interests of mining corporations over the needs of the American people and Indigenous and other mining-affected communities. Today, new mining threatens many sacred and irreplaceable places, including national parks, yet community members and land managers have been unable to reject mine proposals where they do not belong.

This bill would help remedy this long standing injustice and:

- Protect water resources and habitats by establishing strong environmental and cleanup standards specific to mining;
- Provide a fair return to taxpayers by ensuring a reasonable royalty on minerals to fund the Infrastructure law's hardrock abandoned mine lands program;
- Defend Indigenous and other mining-affected communities and special places from irresponsible mining by giving land managers the ability to balance mining with other uses of the public's lands.

The Clean Energy Minerals Reform Act of 2023 acknowledges that growing demand for certain materials may require new hardrock mines, including some on federal public lands. Converting to a leasing system for hardrock minerals—just like the one that oil, gas, and coal companies use today—would help provide certainty to the permitting process and result in more timely and socially acceptable decisions.

We are grateful to the bill sponsors for this important effort to improve hardrock mining policy and urge broad support within Congress. We look forward to working with Senators Heinrich and Chair Grijalva on these common-sense solutions to modernize our hardrock mining law to fit a 21st century industry, and to begin to fix the toxic legacy left behind by abandoned mines over the last 151 years.

Sincerely,

Adorers of the Blood of Christ US Region JPIC office

Alaska Community Action on Toxics

Alaska Longline Fishermen's Association

Alaska Wilderness League

Arkansas Valley Conservation Coalition (AVCC)

Black Hills Clean Water Alliance

Brooks Range Council

Californians for Western Wilderness

CALSTART

Cascade Forest Conservancy

Center for Biological Diversity

Citizens to Protect Smith Valley (NV)

Climate Hawks Vote

Conservation Northwest

Cook Inletkeeper

Copper Country Alliance

Earthjustice

Earthworks

Endangered Species Coalition

Friends of the Earth US

Friends of the Inyo

Great Basin Resource Watch

Great Bear Foundation

GreenLatinos

Healthy Environment Alliance of Utah (HEAL Utah)

HECHO Hispanics Enjoying Camping Hunting and the Outdoors

Idaho Conservation League

Idaho Rivers United

Information Network for Responsible Mining

Kachemak Bay Conservation Society

Kalmiopsis Audubon Society

League of Conservation Voters

Los Padres ForestWatch

Malach Consulting

Moms Clean Air Force

Mother Kuskokwim Tribal Coalition

Multicultural Alliance for a Safe Environment

Native Movement

Native Village of Fort Yukon

Natural Resources Defense Council

New Mexico Sportsmen

New Mexico Wild

New Mexico Wildlife Federation

Northern Alaska Environmental Center

Okanogan Highlands Alliance

Oregon Natural Desert Association

Oregonians For Wild Utah

Patagonia

Patagonia Area Resource Alliance

Powder River Basin Resource Council

Progressive Leadership Alliance of Nevada

Protect the Kobuk

Rio Grande Indivisible, New Mexico

Rivers Without Borders

Rock Creek Alliance

San Juan Citizens Alliance

Save Our Cabinets

Save the South Fork Salmon, Inc.

Sierra Club

Sisters of Mercy of the Americas Justice Team

Sky Island Alliance

Southeast Alaska Indigenous Transboundary Commission

Southern Utah Wilderness Alliance

The Wilderness Society

Tó Nizhóní Ání

Trustees for Alaska

Tucson Audubon Society

Western Shoshone Defense Project

WildEarth Guardians

Wisconsin Mining Impact Coalition