

# CLEAN ENERGY MINERALS REFORM ACT

HOUSE NATURAL RESOURCES COMMITTEE RANKING MEMBER RAÚL M. GRIJALVA

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The *Clean Energy Minerals Reform Act*, introduced by Ranking Member Raúl M. Grijalva (D-Ariz.) on May 18, 2023, will modernize and reform the country's 150-year-old hardrock mining law, which has remained virtually unchanged since its enactment.

Minerals like copper, lithium, and nickel are essential for our clean energy future, but our severely outdated mining law—the Mining Law of 1872—is failing us. Mining has caused immeasurable destruction and is the nation's number one source of toxic pollution. Our sacred places, wilderness, recreation access, and public health are under constant and serious threat from mining.

Ranking Member Grijalva's *Clean Energy Minerals Reform Act* creates a more sustainable mining future that protects special places, respects tribal consultation, and safeguards public health as we strengthen domestic supply chains for clean energy technologies.

## REVERSING COURSE ON 150 YEARS OF TOXIC EXTRACTION & BUILDING A CLEAN ENERGY FUTURE

**50 MILLION**

gallons of toxic wastewater flows from hardrock mining sites every day.

**\$300 BILLION**

worth of metals extracted from public land without mining companies paying a cent in royalties to the American people.

**40%**

of the headwaters of western watersheds are polluted from abandoned mines.

## THE CLEAN ENERGY MINERALS REFORM ACT

**MODERNIZES MINE PLANNING** Under the Mining Law of 1872, mining is considered the “highest and best use” of public lands, giving mining companies unfettered access to public resources. This legislation ends that chaotic practice by establishing a leasing system, leveling the playing field with other uses of public lands,-- like recreation, grazing, hunting, and energy development, and requiring it to be managed through existing land-use planning processes.

**MAKES INDUSTRY CLEAN UP THEIR ABANDONED MINE LANDS** Unlike abandoned coal mines, which are cleaned up (i.e., reclaimed) with fees paid by industry, there is no dedicated funding source for reclaiming abandoned hardrock mines and the toxic mess they leave behind. This legislation sends a portion of the new royalty revenue to the Bipartisan Infrastructure Law's Abandoned Hardrock Mine Reclamation Program to make industry, not taxpayers, pay for cleanup.

**SETS CLEAR ENVIRONMENTAL & RECLAMATION STANDARDS** Mining's toxic legacy is largely due to the fact that there are no environmental provisions or permitting requirements under the Mining Law. There are also no requirements to use best practices for managing mine waste to better protect workers and local communities. This legislation sets strong environmental standards for mining activities and long-term reclamation.

**ENSURES A FAIR RETURN FOR TAXPAYERS** Just like oil, gas, and coal, mining companies should pay royalties to American taxpayers for minerals extracted from public lands. This legislation establishes a 12.5% royalty on new mining operations and an 8% royalty on existing operations, with an exemption for miners earning less than \$50,000 in mining income.

**REQUIRES MEANINGFUL TRIBAL CONSULTATION** Too often, federal agencies decide on a course of action, then “notify” tribes after the fact, rather than consulting with them early and meaningfully. This legislation requires federal agencies to conduct meaningful consultation with tribes prior to permitting mining activities that will impact tribal communities.

**PROTECTS SPECIAL PLACES** Our most precious natural areas are constantly under threat from new mines. Even the Grand Canyon, one the country's most iconic landscapes, is under constant threat of being destroyed by mining. This legislation gives federal land managers clear authority to protect certain areas from future mining.