

December 8, 2023

Dear Senators,

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. We write to share the below views for the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining on December 12th 2023.

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. Giving more discretion for land use and putting hardrock minerals on the same level as other uses—including oil, gas, and coal companies—would help provide certainty to the permitting process and result in more timely and socially acceptable decisions.

We are grateful to Sen. Heinrich for this important effort to improve hardrock mining policy and urge broad support within Congress. We look forward to working with Senator Heinrich 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
Ahmut Pipa Foundation
Alaska Community Action on Toxics
ALASKA LONGLINE FISHERMEN'S ASSOCIATION
Alaska Wilderness League
Amigos Bravos
Arizona Mining Reform Coalition
Arkansas Valley Conservation Coalition (AVCC)
Azul
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 + Community Project
Climate Hawks Vote
Coalition to SAVE the Menominee River, Inc.

Community Environmental Advocates Foundation
Conservation Northwest
Cook Inletkeeper
Copper Country Alliance
Cultural Survival
Dakota Rural Action
Deer Tail Scientific
Earthjustice
Earthworks
Endangered Species Coalition
Ethical Metalsmiths
Friends of the Earth US
Friends of the Inyo
Friends of the Sonoran Desert
Georgia Interfaith Power and Light
Gila Resources Information Project
Global Witness
Grand Canyon Trust
Grand Junction Area Broadband- GreatOld Broads for Wilderness
Great Basin Resource Watch
Great Bear Foundation
Great Old Broads for Wilderness, Bozeman Broadband
Greater Yellowstone Coalition
GreenLatinos
Healthy Environment Alliance of Utah (HEAL Utah)
HECHO Hispanics Enjoying Camping Hunting and the Outdoors
High Country Conservation Advocates
Idaho Conservation League
Idaho Rivers United
Information Network for Responsible Mining
Inland Ocean Coalition
Kachemak Bay Conservation Society
Kalmiopsis Audubon Society
Kamloops Moms for Clean Air
League of Conservation Voters
Los Padres ForestWatch
Lynn Canal Conservation
Malach Consulting
Mining Impact Coalition of Wisconsin
Moms Clean Air Force
Mother Kuskokwim Tribal Coalition
Multicultural Alliance for a Safe Environment
Native American Land Conservancy
Native Movement
Native Village of Fort Yukon
Natural Resources Defense Council

New Energy Nexus
New Mexico Environmental Law Center
New Mexico Sportsmen
New Mexico Wild
New Mexico Wildlife Federation
No Hot Creek Mine
Northern Alaska Environmental Center
Nuclear Information and Resource Service
Okanogan Highlands Alliance
Oregon Natural Desert Association
Oregonians For Wild Utah
Oxfam America
Patagonia
Patagonia Area Resource Alliance
Portneuf Resource Council
Powder River Basin Resource Council
Progressive Leadership Alliance of Nevada
Protect the Kobuk
Publish What You Pay - United States
Rio Grande Indivisible, New Mexico
Rivers Without Borders
Rock Creek Alliance
Royal Gorge Preservation Project
San Juan Citizens Alliance
Save Our Cabinets
Save The Scenic Santa Ritas
Save the South Fork Salmon, Inc.
Sierra Club
Silver Valley Community Resource Center
Sisters of Mercy of the Americas Justice Team
Sky Island Alliance
Southeast Alaska Conservation Council
Southeast Alaska Indigenous Transboundary Commission
Southern Alliance for Clean Energy
Southern Utah Wilderness Alliance
The Wilderness Society
Tó Nizhóní Ání
Trustees for Alaska
Tucson Audubon Society
United Women in Faith
Upper Peninsula Environmental Fund
Waterkeeper Alliance
WaterLegacy
Waterway Advocates
Western Organization of Resource Councils
Western Shoshone Defense Project

Western Watersheds Project
Wild Connections
WildEarth Guardians
Wisconsin Mining Impact Coalition