

March 4, 2025

Dear Members of Congress,

On behalf of our millions of members across the country, the undersigned organizations support the immediate passage of the “Mining Waste, Fraud, and Abuse Prevention Act of 2025”, a bill that would update the antiquated hardrock mining law that has governed public lands mining operations in the United States more than 150 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 Mining Waste, Fraud, and Abuse Prevention Act 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 Mining Waste, Fraud, and Abuse Prevention Act of 2025 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 Senator Lujan and Representative 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 150 years.

Sincerely,

Malach Consulting
Los Padres ForestWatch
Citizens to Protect Smith Valley (NV)
Rivers Without Borders
Northern Alaska Environmental Center
Great Basin Resource Watch
Progressive Leadership Alliance of Nevada
Friends of the Earth US
Cook Inletkeeper
Rio Grande Indivisible, New Mexico
Information Network for Responsible Mining
Imperial Valley Equity & Justice
Mother Kuskokwim Tribal Coalition
Adorers of the Blood of Christ US Region JPIC office
Tucson Audubon Society
GreenLatinos
Southern Utah Wilderness Alliance
WildEarth Guardians
Conservation Northwest
Sisters of Mercy of the Americas Justice Team
Native Movement
Alaska Wilderness League
Sky Island Alliance

Protect the Kobuk
League of Conservation Voters
Californians for Western Wilderness
Oregon Natural Desert Association
Endangered Species Coalition
Alaska Community Action on Toxics
Trustees for Alaska
Save the Scenic Santa Ritas
Okanogan Highlands Alliance
Great Bear Foundation
HECHO Hispanics Enjoying Camping Hunting and the Outdoors
Great Basin Water Network
Kachemak Bay Conservation Society
Patagonia, Inc.
Save Our Cabinets
The Wilderness Society
Kalmiopsis Audubon Society
Copper Country Alliance
Natural Resources Defense Council
Friends of the Inyo
Cascade Forest Conservancy
Wisconsin Mining Impact Coalition
Brooks Range Council
New Mexico Wild
Save the South Fork Salmon, Inc.
ALASKA LONGLINE FISHERMEN'S ASSOCIATION
Idaho Rivers United
Arkansas Valley Conservation Coalition (AVCC)
Multicultural Alliance for a Safe Environment
Climate Hawks Vote
Montana Environmental Information Center
Earthworks
Rock Creek Alliance
CALSTART
Powder River Basin Resource Council
Healthy Environment Alliance of Utah (HEAL Utah)
Center for Biological Diversity
Native Village of Fort Yukon
Western Shoshone Defense Project
Earthjustice
Patagonia Area Resource Alliance
Moms Clean Air Force
New Mexico Wildlife Federation

San Juan Citizens Alliance
Idaho Conservation League
Western Shoshone Defense Project
Oregonians For Wild Utah
Citizens for a Safe & Clean Lake Superior
Tó Nizhóní Ání
Southeast Alaska Indigenous Transboundary Commission
New Mexico Sportsmen
Black Hills Clean Water Alliance