

Center for Alternative Mining Development Policy • Clean Water Alliance • Earthjustice • Earthworks • EPIC-Environmental Protection Information Center • Greater Yellowstone Coalition • High Country Conservation Alliance • Information Network for Responsible Mining • Klamath Forest Alliance • League of Conservation Voters • Los Padres Forest Watch • National Parks Conservation Association • Okanogan Highlands Alliance • Rock Creek Alliance • San Juan Citizens Alliance • Save Our Cabinets • Save Our Sky Blue Waters • Uranium Watch

June 15, 2016

Dear Member of Congress,

On behalf of the above organizations and the millions of members we represent, we urge your opposition to HR 3843, the Locatable Minerals Claim Location and Maintenance Fees Act of 2015. This bill is scheduled for mark up Wednesday, June 16, 2016, in the House Natural Resources Committee.

Good Samaritans For Profit

Rather than solve the estimated \$50 billion taxpayer liability for cleaning up our nation's inactive or abandoned hardrock mines, this bill allows mining companies to profit under the guise of "Good Samaritan" clean up. Multinational mining companies profiting from the sale of reprocessed mine waste and granting liability waivers (CERCLA and Clean Water Act) to mining companies is not the way to solve the problem of the half a million abandoned mines that litter the west. Congress should instead consider an independent, dedicated abandoned mine reclamation fee - similar to that in the Surface Mining Control and Reclamation Act - to fund a robust abandoned hardrock mine reclamation program.

Incentivizing Mining Claim Fraud

HR 3843 also inadvertently encourages mining claim fraud – allowing companies to hold a claim without any viable mineral deposit. Section 102(e)(1) allows mining claimants to keep their claims, even if they have no minerals, as long as they remain current on their annual \$155 fee.

The Department of Interior has an existing process to determine the validity of mining claims in the event of a mineral withdrawal or other action. As part of that process, DOI already subjects mineral withdrawals to valid existing rights, allowing mining companies to keep their claim if the company has discovered a commercially viable mineral deposit. Yet under HR 3843, a mining claimant keeps their claim regardless of whether they have discovered a valuable mineral deposit. It is not sufficient for the mining industry to claim they have minerals; they must actually have what they claim they do.

Subverting Community Input

The National Environmental Policy Act (NEPA) should give citizens the opportunity to voice their opinion on matters that impact them -- distinguishing truly Good Samaritans from profit seekers hiding under a cloak of liability waivers, attempting to remine an abandoned site with waivers from our most important environmental laws. HR 3843, however, prevents communities from providing input by exempting Good Samaritan permits from NEPA analysis. Subverting NEPA effectively cuts the people out of important government decisions that affect their community, livelihood, and environment.

We appreciate the opportunity to share our views with you and respectfully urge opposition to HR 3843.

Thank you.