



U. S. Mining Law Reform - An Industry View

by David F. Briggs

The mining community supports a common sense approach for the reform of our nation's existing mining laws; including the collection of royalties based on a percentage of the profits derived from minerals produced from public lands, preservation of miners' rights to responsibly explore, develop and extract minerals from public lands and creation of a fund derived from fees and royalties collected from the mining industry to reclaim abandoned mined lands. This approach must use existing federal and state environmental laws, regulations, environmental protection standards and the review and public participation process of the National Environmental Policy Act (NEPA), which equally apply to all domestic industrial operations and are among the most strictly enforced environmental statutes in the world.

Although House (H.R. 699) and Senate (S. 796) versions of the Hardrock Mining and Reclamation Act of 2009 differ, both contain provisions that will discourage the financial investment required to fund future domestic exploration and mine development, result in the premature closure of many existing operations and impair industry's efforts to resolve legacies of mining's past, which continue to negatively impact many of our communities. H.R. 699 is particularly harsh, unfairly singling out the metals mining industry through the establishment of new unrealistic environmental and regulatory barriers that will make our nation's domestic mining operations uncompetitive on international markets. Both versions permit new massive withdrawals of public lands without considering their mineral potential or importance in meeting our domestic needs.

If proposed legislation currently being considered before Congress becomes law, its impact will severely weaken our national and economic security as numerous high paying jobs are relocated overseas. Financial hardships will be especially severe in rural communities, where many of these operations are located. It will also make our nation increasingly dependent on foreign sources for metals and minerals. In light of our nation's huge trade deficit, is this really in our nation's best interest? Must we rely on foreign countries to supply the raw materials essential for

our nation's economic recovery or to build the infrastructure for the environmentally friendly energy technologies of the future? Our nation's laws should encourage responsible industrial development, not discourage it.

The retail and service sectors of our nation's economy are incapable of producing sustainable economic growth because they only consume and redistribute wealth. Basic industries like mining, energy, timber, agriculture and ranching as well as manufacturing create new wealth, which is essential for sustainable economic growth and prosperity. Today's mining operations integrate economic, environmental and social obligations to balance the benefits received from mining the natural resources required by modern society with potential negative impacts these activities may have on the social and physical environment. I urge you to support common sense reform of our nation's mining laws, which will allow the domestic mining industry to design and operate the new environmentally responsible mines that will be required to meet our nation's future demand for raw materials.

Disclaimer: David F. Briggs is a geologist, who has worked in the mining industry for more than thirty years.

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Originally published by the Arizona Daily Star on May 27, 2009.