

Dec. 7, 2023

Dear Members of the Senate Energy & Natural Resources Committee,

We, as faith-based organizations, ask Congress to ensure that laws governing the natural resources central to building a renewable energy economy are just, equitable, and reflect our values. We support the Clean Energy Minerals Reform Act (S. 1742) as a means of accomplishing that goal amidst the rush for certain minerals for the transition away from fossil fuels. We fear that the Mining Regulatory Clarity Act (S. 1281) takes us in the wrong direction.

Survival of sacred lands and water, the health of communities, and respect for Indigenous people depend upon mining reform for the 21st century and beyond. It is clear to us that S. 1742 provides some of the needed protections for the energy transition, while S. 1281 gives too much power to mining companies, including the ability to limit other uses for public lands.

The current law, the Mining Law of 1872, was enacted more than 150 years ago. While much in society has changed since then, the law still allows miners to pay no royalties for precious minerals procured from land under federal jurisdiction and requires no restraints for much of their activities. This issue takes on greater importance as the energy transition proceeds; many of the mineral deposits vital to building a clean energy economy are located near or within areas of cultural and environmental significance to Indigenous and land-based communities.

The Clean Energy Minerals Reform Act requires that companies pay royalties for minerals extracted from public lands, sets strong environmental standards for mineral mining and cleanup of abandoned mines, and mandates meaningful tribal consultation before issuing mineral mining permits that would impact those communities. Importantly, the bill also grants federal land managers authority to protect certain public land from mineral mining.

The Mining Regulatory Clarity Act, meanwhile, undermines the federal government's long-standing authority to safeguard public lands. Under this bill, any company, for a nominal fee, gains absolute rights to occupy land in perpetuity. And it removes the simple requirement under current law that miners actually discover valuable minerals. This means that the mining industry – not local communities nor the federal government – could dictate how we use precious public lands since a company could block any alternate use such as a renewable energy project that would cross its "claimed" public lands.

God tells humanity of our sacred obligation to protect the world and issues a prescient warning: "Take care not to spoil or destroy My world, for if you do, there will be no one to repair it after you." (Midrash Ecclesiastes Rabbah 7:13). The Muslim tradition writes extensively of caring for creation and cites the Qur'an 30:41 in addressing damage to creation: "Corruption (pollution) has spread on land and sea as a result of what people's

hands have done, that He may make them taste a part of what they have done so that they might return [to the Right Path].”

Mining has caused immeasurable destruction and is the No. 1 source of toxic pollution for many communities, such as people living in the Navajo Nation suffering from decades of health hazards from uranium mining. Our sacred places, wilderness, recreation access, and public health are under constant and serious threat from mining without long overdue mining reform.

Pope Francis, in a message to the Latin American Churches and Mining network in 2015, said: “Minerals and, in general the wealth of the earth, of the soil and underground, constitute a precious gift from God that humanity has used for thousands of years..... The entire mining sector is undoubtedly required to effect a radical paradigm change to improve the situation in many countries.”

Caring for the Earth, offering moral leadership, and weaving a future for younger generations and all species is accomplished in many ways. The Clean Energy Minerals Reform Act is one strand in the sacred garment of life that we must tend to for the Common Good and Earth, Our Common Home. We, therefore, urge you to pass the reforms in S. 1742 and reject the Mining Regulatory Clarity Act.

Sincerely,

Catholic Climate Covenant  
Congregation of Sisters of St. Agnes  
Daughters of Wisdom (US Delegation)  
Dominican Sisters ~ Grand Rapids  
Dominican Sisters of Houston  
Dominican Sisters of Sparkill  
Hospital Sisters of St. Francis, USA  
Interfaith Power & Light  
Maryknoll Office for Global Concerns  
Medical Mission Sisters, Justice Office  
Mennonite Central Committee U.S.  
Presentation Sisters  
Religious of the Sacred Heart of Mary, Western American Area  
Sisters of Charity of Nazareth Western Province Leadership  
Sisters of Charity of Seton Hill  
Sisters of Charity of Seton Hill Generalate  
Sisters of Mercy of the Americas Justice Team  
U.S. Federation of the Sisters of St. Joseph  
Unitarian Universalists for a Just Economic Community

