

June 25, 2019

Dear Chairman Lowenthal, Ranking Member Gosar, and Members of the Subcommittee,

On behalf of our organizations and members, we write to express our support for H.R. 3405, the Uranium Classification Act of 2019. The purpose of this bill is to protect some of our nation's most treasured National Monuments, sacred sites, and public lands from worsening the toxic legacy of uranium mining in the West.

This bill responds to the Administration's June 4th Critical Minerals Strategy¹, a wide-ranging plan to remove existing protections from mining in some of the West's most iconic public lands. These include areas near Grand Canyon and Bears Ears National Monuments, as well as sacred sites throughout New Mexico and Arizona.

The bill simply removes uranium from the Administration's list of so-called "critical" minerals, on which the metal never belonged. Executive Order 13817, "A Federal Strategy To Ensure Secure and Reliable Supplies of Critical Minerals" created the list and the Critical Minerals Strategy.² Uranium is a fuel mineral. EO 13817 defines "critical mineral" to mean either a "non-fuel mineral" or a "mineral material". And neither term as used elsewhere in federal law nor in common application includes uranium.³

Further, we are concerned that the inclusion of uranium as a "critical mineral" risks exposing our nation's public lands to foreign mining companies and belies any purported national security objective. Canadian firms sought uranium mining claims in the former Bears Ears National Monument. Canada and Australia currently supply us with approximately half of our uranium needs. This bill corrects the Administration's misdirected aim at raising the specter of national security. Our current mining law, dating from the 19th century, is in desperate need of updating; we need not provide added incentives to an industry that leads the nation in toxic pollution.

H.R. 3405 helps ensure that new uranium mining will not add to the toxic legacy left from decades of Cold War era pollution. The minerals strategy we should pursue seeks more conservation, recycling, and substitution. Each will do more to ensure supply of the minerals we need for the renewable energy transition than mining the Grand Canyon. The United States should embrace innovation, demand best practices, and reform our outdated mining law. We respectfully urge Subcommittee support for H.R. 3405.

Sincerely,

Earthworks
Grand Canyon Trust
National Parks Conservation Association
Earthjustice
The Wilderness Society
Natural Resource Defense Council
Western Organization of Resource Councils

¹ <https://www.doi.gov/pressreleases/trump-administration-announces-strategy-strengthen-americas-economy-defense>

² <https://www.whitehouse.gov/presidential-actions/presidential-executive-order-federal-strategy-ensure-secure-reliable-supplies-critical-minerals/>

³ Federal agencies treat uranium as a locatable mineral under the General Mining Law of 1872 (30 U.S.C. §§ 21-54). "Mineral material" includes common varieties sand, stone, gravel, pumice, pumicite, cinders, clay and vegetative materials. See also 30 U.S.C. §601-604.