



NPCA Position on H.R.2925 the Mining Regulatory Clarity Act of 2023 and H.R.4984 - D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act

February 6, 2024

Dear Chairman Westerman, Ranking Member Grijalva, and members of the House Natural Resources Committee:

Since 1919, the National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our 1.6 million members and supporters nationwide, I write to share our position on H.R. 2925, the Mining Regulatory Clarity Act of 2023 and H.R.4984, the D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act.

H.R. 2925 – The Mining Regulatory Clarity Act (as amended): NPCA appreciates the committee took steps to begin addressing our concerns with this bill in the Amendment in the Nature of a Substitute (ANS). Because we believe an underlying problem with the bill was not addressed, we still oppose this legislation.

H.R. 2925, as amended, goes too far by abolishing the discovery requirement, which disrupts the effective management of our public lands, including vital conservation efforts. The discovery requirement is one of the longest standing elements of the claim system and one of the few guardrails under the Mining Law of 1872. Despite what proponents contend, **this legislation does NOT return the mining law to the status quo.**

While the ANS for H.R. 2925 aims to separate claims on previously withdrawn areas from the impact of the introduced bill, it does not explicitly remove all designations of protected lands, including administrative withdrawals under the Federal Land Policy and Management Act of 1976 (FLPMA). Ultimately, the potential threats and uncertainties created by removing the discovery requirement are too great for national park units and future conservation lands.

The proof of discovery is essential for conservation tools such as mineral withdrawals, monument designations and the creation of new national parks. Importantly, when any of these conservation tools are used, either by an administration or Congress, all *existing and valid* rights are still preserved. Valid claims threaten damage to park resources because new mining is allowed in parks under the Mining in the Parks Act. Under the proposed changes in H.R. 2925, there would no longer be a requirement for claimants to prove the discovery of a valuable mineral to hold or validate their claim on new conservation lands. This essentially removes the ability of the federal government to contest superfluous claims on lands being considered for future conservation.

We look forward to working with the committee and bill sponsors to meaningfully modernize our mining laws to both advance the development of less-damaging mining projects and to ensure that national parks and other special places, communities and the environment are not irreparably harmed. Ultimately, we believe that most mining activities are incompatible with the mandate of the National Park System to protect natural and cultural resources in perpetuity. Any reform must include the removal of the 1,100 active mine claims from the National Park System.

H.R.4984 - D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act: NPCA supports this bill to transfer administrative jurisdiction over the Stadium Campus from the National Park Service to the General Services Administration, which will collaborate with the District of Columbia to efficiently plan for appropriate uses of the land going forward. We support the requirements detailed in this bill to ensure that there are no adverse impacts to any lands under jurisdiction of the National Park Service, including surrounding wetlands, as well as improved public water access to the Anacostia River and preservation of the Anacostia River Trail. The National Park Service is guided by the Organic Act of 1916 and should remain so. There is no standard for “material degrade” of a National Park System unit, and Congress should not create a lower standard of protection for a park unit.

Thank you for considering our views. If you have any questions or need additional information, please contact me at (colsen@npca.org).

Sincerely,
Charlie Olsen
Energy and Public Lands Policy Manager
National Parks Conservation Association