



July 25, 2023

RE: Orutsararmiut Native Council's Opposition to the Mining Regulatory Clarity Act

Dear President Biden, Senators and Representatives:

The Orutsararmiut Native Council firmly opposes the Mining Regulatory Clarity Act, which represents an unprecedented giveaway of public lands to mining corporations. Under the bill, mining corporations would gain a near unlimited right to occupy as much public land as they wanted for their mining operations. The companies would gain the right to dump waste, dispose of toxic tailings, bulldoze roads, and construct pipelines across public lands, even on lands of deep cultural and ecological significance to Orutsararmiut Native Council. We urge you to oppose the legislation, which would exacerbate the harms caused by the mining industry.

We are especially concerned with this legislation because four key minerals that will be used for the energy transition – 97% of nickel, 89% of copper, 79% of lithium, and 68% of cobalt – are located within 35 miles of Native American Reservations. In addition, many existing and proposed mines are located on federal lands adjacent to tribal lands. Our lives, unique culture, and safety are at stake on our Ancestral Lands. The threat to our ecosystem in which we truly depend upon is under immediate danger. Our indigenous population will be decimated because our food security from our natural environment will disappear with any ecosystem imbalance.

The proposed legislation contains a series of provisions designed to undermine the Federal Government's authority to safeguard public lands. Under Section 2(e)(1)(B) of the Mining Regulatory Clarity Act, mining companies would receive a statutory right to permanently occupy and bury public lands under tons of toxic waste. Further Section 2(e)(1)(A) grants mining companies automatic rights-of-way for new pipelines, transmission lines, and roads across public lands – eliminating a central provision of the Federal Land Policy Management Act that requires mining companies to receive a permit for such uses just like every other industry operating on federal lands. The mining law of 1872 is already overly permissive- having caused disastrous consequences for our Indigenous communities, our health and our sacred sites, and this legislation would only increase those harms in the future.

The Mining Regulatory Clarity Act is poised to have devastating consequences on our ancestral lands and resources. The creation of tribal sacrifice zones in the name of the clean energy transition must stop. Indigenous communities use what are now federal public lands for resource collection, ceremonies, and other traditional cultural uses. This Administration has vowed to safeguard our cultural resources and to listen to tribes. The Mining Regulatory Clarity Act will impair our ability to use our ancestral lands forever and we ask that you reject it.

Sincerely,

Brian M. Henry
Executive Director
Orutsararmiut Native Council