

**J. SCOTT CHRISTIANSON**

## Antiquated mining law desperately needs reform



For several years, conservationists have pressured Congress to reform the Mining Law of 1872. This law — which has remained basically unchanged in the past 100 years — allows mining companies to buy rights to mine public lands at prices well below market value, then walk away then walk away from most long-term responsibility for cleaning up the toxic mess they leave behind.

Enacted after the Civil War, the 1872 Mining law was designed to hasten the development and settlement of Western territories. The law declared mining to be the best use of public lands and gave rights to anyone willing to mine them. The time to revise this law has long since passed.

### PROGRESS THUS FAR

In 1993, the U.S. House of Representatives passed a comprehensive mining law reform bill while the Senate passed a weaker version. A conference committee is working on a compromise.

The Izaak Walton League, a national conservation group, has noted four key provisions that must be included if the compromise bill is to be effective:

- Requirings mines to pay 8 percent royalties on hardrock ore extracted from public lands. They pay nothing to the federal government now. By comparison, the government charges 12.5 percent royalty for oil and 8 percent to 12 percent for coal extracted from public lands. Taxpayers should get a fair return on mining as well.
- End "patenting," which allows those who can show their claims hold gold, silver or other hardrock minerals to buy public lands. The federal government must sell at \$2.59

to \$5 an acre, an absurd price. Patenting must be abolished.

- Enact reclamation standards. The 1872 Mining Law contains no provisions requiring hardrock miners to restore their spoils. The House bill proposes that mined land be restored to pre-mining conditions so that wildlife habitat is restored and surface and ground waters remain are protected.

- Give the secretary of the interior and others the authority to reject mining operations that threaten the ecology of federal lands. With this authority, the federal government could block mining operations where environmental harm cannot be mitigated. One such proposal is for a mine just outside Yellowstone National Park.

### SO CLOSE, YET SO FAR

Even if the conference committee issues a strong bill, there is a real danger that the bill will be killed behind the scenes by mining interests. The grazing reform bill met such a fate.

I urge you to write our Missouri senators and ask them to support a strong mining reform bill and to fight any delay in the bill's consideration. Write senators Jack Danforth and Kit Bond in care of the U.S. Senate, Washington, D.C., 20510.

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to be without it.

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