

Opening Statement
Ranking Member Edward J. Markey
Subcommittee on National Parks, Forests and Public Lands
Legislative Hearing
June 14, 2011

Thank you.

1955 was a good year, Mr. Chairman. The Salk vaccine was approved, the Brooklyn Dodgers won their first World Series and in Seattle Washington, William and Mary Gates welcomed the birth of their son, Bill.

And at the White House, President Dwight Eisenhower issued Public Land Order 1229, withdrawing 760 acres of federal land known as Oak Flat in southeastern Arizona from further mining development.

And here we are, 56 years later, and the question being asked is, after more than 5 decades, haven't we conserved this area long enough? Polio has been wiped out in the developed world and Bill Gates is retired. In the name of progress, and for the promise of jobs, isn't it time to end our careful stewardship of this land, hand it over to development, and just like the Dodgers, move out? The answer, Mr. Chairman, is no.

The proponents of H.R. 1904 accurately describe the bill as a land exchange and urge a careful analysis of the bill's procedural provisions. In other words, we are encouraged to conduct a surface analysis of this mining legislation when, ironically, what we need to do is dig much deeper.

The public needs to have a clear picture of what is being gained, and what is being lost in this exchange. Yes, the public stands to gain roughly 5,000 acres of land through this exchange and, by all accounts, much of that acreage is desirable and worthy of preservation.

Further, we are told there will be jobs created in this mine. Of course, much of the work will be automated, and controlled off-site, but certainly some limited number of jobs will be created.

And it's true that the company would pay an unspecified amount for the copper they would mine.

That is what we would gain. Unfortunately, the true costs of all that would be lost have yet to be counted.

Those costs will be paid in water. Block and cave mining operations seven thousand feet below sea level, in an already arid and drought-prone area, could devastate the quality and quantity of drinking water for thousands of people living and working in the area.

Those costs will be paid by the recreation community who will see an area renowned for camping, hiking, and world-class rock climbing carved into a matrix of tunnels and pits.

Those costs will be paid by Native People who will watch as an area sacred to them since well before 1955 is desecrated and potentially even destroyed.

And finally, the American taxpayers will bear the cost of handing over billions of dollars in mineral resources to a foreign company for international sale without a fair return.

What's worse, Mr. Chairman, H.R. 1904 not only fails to fairly -- or even fully -- *capture* these costs, the bill specifically seeks to circumvent the public process designed to *calculate* these values. By waiving meaningful compliance with the National Environmental Policy Act and timely Tribal consultation, H.R.

1904 urges us to move along and assures us that there is nothing to see here.

Mr. Chairman, the last version of this legislation included a requirement that the Secretary make a formal determination that the proposed exchange was in the public interest before it could go through. The fact that the public interest determination has been stripped from this bill should tell you everything you need to know about H.R. 1904.

I yield back.