



FORESTS FOREVER

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FOR IMMEDIATE RELEASE

December 13, 2005

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Pombo plans public-lands giveaway

Rewrite of 1872 Mining Law would jumpstart patenting of public lands

Tucked away inside the Deficit Reduction Act of 2005 (S. 1932/H.R. 4241), the bill authorizing the federal budget for the next year, are provisions that would privatize millions of acres of public lands and allow mining and real estate development within national forests and parks.

Rep. Richard Pombo (R-Tracy) has slipped a bill written by Rep. Jim Gibbons (R-Nev.) into the must-pass budget legislation. This measure would rewrite portions of the 1872 Mining Law to make it easier for mining corporations to lay claim to public lands, to buy them, and to develop them in any way they want.

“Pombo’s rewrite makes a bad law worse, and would jeopardize public land from coast to coast,” said Paul Hughes, Forests Forever’s executive director.

Under the provisions of the 1872 Mining Law, miners can stake a claim—the right to mine minerals— on public land. These claims can also be “patented,” that is, bought outright from the federal government for, at most, \$5 an acre.

Pombo’s rewrite would end a 1994 moratorium on such sales and allow public lands to be patented for \$1000 an acre, or market value, whichever is higher. This “market value” would not take the value of any minerals present into account, however. In fact, there is no requirement to prove that the land contains minerals before patenting a claim.

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Patents on public lands could be granted for any use that would “facilitate sustainable economic development.” Public lands could be claimed for mineral rights, patented, then developed with hotels, condos or ski resorts.

Any “valid, existing” mining claim on federal land, including inside national forests and parks, could be patented, as well as any claims on public lands “not otherwise withdrawn.” This could include (at the discretion of local forest managers) Wilderness Study Areas and roadless areas.

The reconciliation conference for the Deficit Reduction Act of 2005 (S. 1932/H.R. 4241) will probably convene sometime in the next two weeks.

“Forests Forever has been urging senators to strip out the mining law provisions inserted by Pombo,” Hughes said. “We should never sell off our precious natural heritage to mining corporations and real estate developers— these are public assets, not private. They belong to all Americans, and their children and grandchildren.”