



International Union of Operating Engineers

AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

May 24, 2022

The Honorable Alan Lowenthal
U.S. House of Representatives
108 Cannon House Office Building
Washington, D.C. 20515

The Honorable Pete Stauber
U.S. House of Representatives
461 Cannon House Office Building
Washington, D.C. 20515

JAMES T. CALLAHAN
GENERAL PRESIDENT

RE: H.R. 2794, Boundary Waters Protection and Pollution Prevention Act

Dear Chairman Lowenthal and Ranking Member Stauber:

The International Union of Operating Engineers opposes H.R. 2794, “The Boundary Waters Protection and Pollution Prevention Act,” which undermines critical minerals permitting in the United States and makes the nation more dependent on foreign sources of minerals essential to power the nation’s clean energy future. We respectfully encourage Members of the Energy and Minerals Subcommittee to reject it.

The International Union of Operating Engineers (IUOE) represents approximately 400,000 members in the United States and Canada in both the public and private sector. We are a trade union representing heavy equipment operators and mechanics in the construction industry, as well as stationary engineers—skilled workers who operate and maintain the built environment. Thousands of Operating Engineers engage in mining of all kinds, from aggregates to coal, to metals and other minerals.

H.R. 2794 aims to permanently withdraw thousands of acres of federal land in Northeastern Minnesota from future leasing, exploration and potential development of copper, cobalt, and other resources. It would codify an unfortunate decision by the Department of Agriculture, and send the wrong message to the critical minerals industry, an industry made even more vulnerable because of the Russian invasion of Ukraine and its attendant economic consequences.

Enacting this moratorium widens the gulf between bold climate policy statements and the reality of how government agencies will achieve these goals. This contradiction undermines good jobs in mining, exports environmental impacts to countries with low standards, and continues America’s dependency on foreign inputs for its energy supply.

Policymakers should not try to have it both ways – speaking in support of domestic critical minerals, while raising legal barriers that undermine their responsible extraction. The recently passed Infrastructure Investment and Jobs Act offers one side of the coin. The legislation provides policy and financial support to pursue domestic mining for these precious natural resources. The bill says:

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“(3) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States; and

(4) the Federal permitting process has been identified as an impediment to mineral production and the mineral security of the United States.”

On the other side of the coin is H.R. 2794 and the administrative action it codifies to withdraw hundreds of thousands of acres from mineral development. Even as the stage was being built on the East Lawn for the President to sign the landmark infrastructure law, federal bureaucrats were erecting barriers to its implementation. In October, only days before the President signed the legislation, the U.S. Forest Service moved to lock up 225,000 acres of land from future mineral mining in one of the richest copper and nickel deposits in the continental United States. Representative McCollum’s bill codifies that action.

The move undermines the rigorous state and federal permitting that was underway to evaluate the site-specific impacts of critical minerals mining in the Duluth Complex. Twin Metals Minnesota spent vast resources to permit the project, only to have the decision short-circuited by administrative fiat.

The nation depends on critical minerals to achieve its bold climate goals and prohibiting responsible mineral development in this resource-rich region undermines those goals. It also blatantly contradicts the policy directive of the bipartisan Infrastructure Investment and Jobs Act.

Five years ago, the U.S. transportation sector surpassed energy generation as the biggest contributor to greenhouse gases. The current industry and political consensus rightfully focused on electric vehicles (EVs) as a key part of the solution to reduce emissions from this sector. *Production of the typical EV requires six times the mineral inputs of a conventional car.* To meet production goals, offshore wind will require nine times more mineral resources than a gas-fired power plant. *Over five tons of copper are required for one modern offshore wind turbine.*

Copper is the most widely used mineral for clean energy technologies. It has a broad range of electronic and industrial applications, from batteries and motors to wind turbines. So where will it come from?

Currently, critical minerals come from countries with the loosest, most egregious environmental and labor standards in the world – countries like Argentina, Chile, China, and the Congo. Today nearly 40% of the world’s copper is *mined* in Chile and Peru, and most of the global supply is *refined* in China.

The South American countries’ environmental and labor records, where workplace hazards and occupational deaths occur frequently, raise significant concern. China’s prominence in the sector also presents a raft of policy considerations regarding labor and human rights abuses, environmental degradation, national security threats, and more.

With a vast supply of the world’s reserves of critical minerals like copper and nickel under American soil, especially in the resource-rich Duluth Complex of Minnesota, the question for policymakers is clear: Can we overcome parochial concerns and good old-fashioned NIMBYism

to realize the geo-political, environmental, and domestic economic opportunities associated with mining to support the supply chain for our clean energy future?

The nation's automakers understand the importance of the issue. Jim Farley, CEO of Ford Motors, asked, "So are we going to import lithium and pull cobalt from nation-states that have child labor and all sorts of corruption or are we going to get serious about mining?"

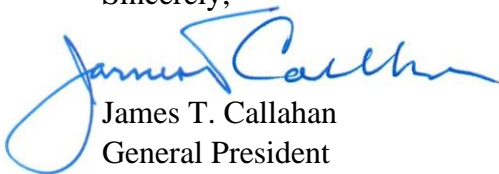
We can mine critical minerals safely and responsibly in the United States. We must. But proposals to tap these resources will test policymakers. Locking up natural resources through legislative action, not the rigor of the permitting process and site-specific environmental review, undermines the future of the industry. Companies will invest elsewhere rather than expose themselves to the whims of policymakers unwilling to support domestic mining of critical minerals.

How federal regulators and policymakers manage critical mineral mining proposals will determine the country's destiny on this fundamental question of economic patriotism and environmental integrity.

Passage of H.R. 2794 makes the United States more reliant on our competitors and countries with low labor standards for essential resources. The International Union of Operating Engineers opposes H.R. 2794, the Boundary Waters Wilderness Protection and Pollution Prevention Act, and we respectfully urge you to reject this legislation.

Thank you for your consideration.

Sincerely,



James T. Callahan
General President