



March 8, 2023

The Honorable Bruce Westerman
Chairman
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

The Honorable Raul Grijalva
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Westerman and Ranking Member Grijalva:

In advance of Thursday's markup in your Committee, the U.S. Chamber of Commerce applauds your leadership in crafting a robust legislative platform to improve the broken federal permitting process by requiring greater predictability and transparency. In particular, we commend Chairman Westerman, Subcommittee on Energy and Mineral Resources Subcommittee Chairman Pete Stauber, and Congressman Garret Graves for introducing the "Transparency and Production of (TAP) American Energy Act of 2023," the "Permitting for Mining Needs (PERMIT MN) Act," and the "Building United States Infrastructure through Limited Delays and Efficient Reviews (BUILDER) Act." The Chamber supports each of these underlying bills and their combined package, H.R. 1335, the "Transparency, Accountability, Permitting, and Production of (TAPP) American Resources Act," and we encourage the Committee to favorably report the combined legislative package.

"Building United States Infrastructure through Limited Delays and Efficient Reviews (BUILDER) Act."

The BUILDER Act would make important updates to the National Environmental Policy Act's permitting process from the initiation of agency environmental review through any potential litigation. These updates will increase the certainty of the environmental review process while maintaining our shared environmental stewardship goals.

This bill would enhance coordination among federal agencies and eliminate duplication by employing a single, coordinated timetable and review process for federal permitting decisions. The bill also clarifies the level of agency analysis needed to restore the original intent of NEPA review processes to promptly consider relevant environmental information and arrive at an agency decision without unnecessary delay. Encouraging agencies to utilize existing research in their environmental documents will also help reduce agency costs. Page and time limits on agency analyses will focus reviews on important issues and aid timely decision-making. Taken together, these provisions will add more certainty to the permitting process, allowing businesses to plan and invest with confidence.

"Transparency and Production of (TAP) American Energy Act of 2023."

The TAP Act would produce greater certainty for oil and natural gas leasing and operations on federal lands and waters, increasing U.S. energy security. Specifically, it would

expand the Mineral Leasing Act's mandate and require the Department of Interior to resume quarterly lease sales on federal lands, reversing the Department's current policy. Similarly, the legislation also requires the Department to conduct lease sales on the U.S. Outer Continental Shelf. In addition, the TAP Act significantly increases the transparency of the oil and gas leasing programs by requiring regular reporting to Congress of leasing metrics. These provisions would add much needed predictability and transparency to the federal oil and natural gas leasing programs benefitting the U.S. economy and bolstering energy security.

H.R. 209, "Permitting for Mining Needs (PERMIT MN) Act."

The PERMIT MN Act would address the need to develop America's domestic supply of critical minerals. We continue to rely too heavily on foreign sources while delaying or impeding our ability to expand domestic mining. To reverse that trend, this bill would reduce permitting uncertainty, limit frivolous litigation aimed at delaying necessary projects and require a stronger agency coordination process to maximize efficiency and minimize mining project delays.

The PERMIT MN Act recognizes that reaching the country's ambitious infrastructure and clean energy goals will require stakeholders and local workforces to have certainty when siting and developing new mines. This legislation would reduce red tape from federal agencies by setting reasonable time limits on environmental reviews, requiring the FAST 41 dashboard to consider mining projects, clarifying mineral classifications, and creating a streamlined process for exploration. The bill also provides certainty for all stakeholders by specifying that a claim seeking judicial review of a permit for a mining project must be filed within 120 days of a final agency action to be considered.

The federal permitting process is broken and badly in need of updating for us to build the infrastructure necessary to compete in the economy of the future. H.R. 1335, the "Transparency, Accountability, Permitting, and Production of (TAPP) American Resources Act" would make meaningful progress towards that goal and we urge that it be favorably reported by the Committee .

Sincerely,



Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce

cc: Members of the Committee on Natural Resources