

Rich Nolan
President & CEO

March 9, 2023

The Honorable Bruce Westerman
Chairman
U.S. House of Representatives
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Westerman:

On behalf of the National Mining Association (NMA), I write to express our strong support for the Transparency, Accountability, Permitting and Production of American Resources Act. This legislation will bring about the necessary reform required to reestablish a strong domestic mineral supply chain and ensure continued coal production, helping the U.S. maintain our energy independence and supporting our infrastructure goals in accordance with world-leading environmental, safety and labor standards.

Demand for mined materials is expanding exponentially alongside the development of advanced energy technologies and increasing infrastructure needs. Domestic mining is essential to virtually every key supply chain that feeds our economy and the legislation considered today is critical to unlocking our country's full potential.

In the energy sector, copper, nickel, and silver are required for renewable technologies, barite and molybdenum keep oil and gas moving, and uranium and coal, combined, provide 40 percent of our electricity. As our transportation system transforms to one that is increasingly electric, cobalt, lithium and a wide range of minerals are used in the production of each electric vehicles. And, in agriculture, phosphate is a key component of fertilizer products that maximize crop yields for farmers across America.

Despite the rhetoric around securing our mineral supply chains, we are at a crisis point. In 2022, the U.S. reached its highest recorded mineral import reliance. Imports made up more than one-half of the U.S. apparent consumption for 51 nonfuel mineral commodities – up from 2021, when 47 commodities met that metric. We are more dependent than ever before on China and others for the minerals that are essential to modern life.

The lack of a strategic domestic mining policy that prioritizes U.S. production is blunting our nation's ability to compete on a global scale. Opening or expanding a mine in the U.S. typically involves multiple agencies and tens or even hundreds of permitting processes at local, state and federal levels. Delays arise from duplication among agencies, absence of firm timelines and failures in lead agency coordination. Necessary authorizations take an average of seven to 10 years – one of the world's longest permitting processes. While valid environmental concerns should be fully addressed through the permitting processes, the process itself should not serve as an excuse to trap mining projects in a limbo of duplicative, unpredictable, endless and costly review.

The bill being considered today makes significant advancements and commonsense reforms to secure a robust domestic energy and mineral supply chain by setting lead agency coordination for mining production on federal lands, allowing federal agencies to use work from state regulatory agencies to permit mines, and setting sufficient time limits for environmental reviews and filing of lawsuits. The bill restores needed regulatory certainty from even further judicially imposed uncertainties and creates needed consistency among federal agency mining regulations. The bill allows project applicants to prepare environmental documents for thorough review by the lead agency, requires the Bureau of Land Management to complete pending Lease by Application for qualifying projects, and sets limits on new federal withdrawals to ensure that the lands do not contain the minerals necessary for new energy, technology, critical infrastructure or agricultural needs to support U.S. economic and national security.

Advancing the Transparency, Accountability, Permitting and Production of American Resources Act will support U.S. competitiveness, enabling our nation to respond to ever-increasing domestic energy and mineral demands. The NMA and its members stand ready to work with you to support this legislation as well as other public policies that strengthen reliable and stable domestic energy and mineral supply chains.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rich Nolan', with a long horizontal stroke extending to the right.

Rich Nolan