

Committee on Natural Resources
Legislative Hearing
1324 Longworth House Office Building
September 10, 2025
10:00 AM

- H.R. 573 (Rep. Yakym), “Studying NEPA’s Impact on Projects Act”
- H.R. 4503 (Rep. Johnson of SD), “ePermit Act”
- H.R. 4776 (Rep. Westerman), “Standardizing Permitting and Expediting Economic Development Act” or the “SPEED Act”

Questions from Rep. Fulcher for Mr. Rich Nolan, President and CEO, National Mining Association

1. In what ways will having a publicly available study on the number of lawsuits and the length and number of environmental impact statements generated under NEPA foster improved relationships between companies and the public?

Permitting in the United States has become unpredictable and litigation-driven, creating significant challenges for industries seeking to invest in large-scale projects. Today, projects routinely face years-long delays due to repeated lawsuits and lengthy environmental impact statement (EIS) reviews under National Environmental Policy Act (NEPA). Added transparency to shed light on the cause of these delays would not only benefit project proponents but also federal permitting partners and the general public.

A publicly available study documenting lawsuits, timelines, and the number of EISs generated will provide a verified and comprehensive picture of how litigation is often used to delay or stop projects. For project proponents, a study would provide credible data to demonstrate how excessive litigation risk and prolonged reviews inflate costs, undermine competitiveness, and delay access to financing. For the public, it replaces speculation with facts, enhancing trust that decisions are being made based on a clear understanding of real-world impacts. This openness is the foundation for stronger engagement between industry, communities, and regulators.

A new Congressional Research Service (CRS) report on Critical Mineral Resources (R47982)¹ underscores that the U.S. is currently more than 50% import-reliant for dozens of critical minerals, and over 75% reliant for at least 12, including minerals essential for defense, energy, and clean technology supply chains. By documenting how permitting delays compound this dependence, the study will help illustrate why reforms are so necessary. Reducing uncertainty and litigation backlogs not only fosters more constructive industry-community relationships but also strengthens national security by enabling responsible domestic production of critical minerals. It is also important to recognize that NEPA reforms will benefit all industries and projects regulated by this important law.

2. Under current guidelines, every agency that deals with NEPA can have its own portal and place to submit documentation. How much and to what degree do you estimate having one central permitting platform will save companies time, money, and headache?

¹ <https://www.congress.gov/crs-product/R47982>

The current permitting system forces project proponents to navigate a maze of agency-specific portals, duplicating filings, and tailoring compliance materials to multiple sets of procedural requirements. This creates unnecessary costs, consumes significant staff time, and often requires retaining legal and technical consultants just to manage the paperwork. Projects can lose months or even years in this administrative back-and-forth cycle before substantive reviews are even completed.

A centralized permitting platform, as proposed under the ePermit Act, would provide a single point of entry for all permit applications and supporting documentation. This efficiency could save project proponents millions of dollars in compliance costs while significantly reducing project delays. By allowing real-time permit tracking and streamlining interagency coordination, companies would gain greater predictability in project timelines, which is crucial for securing financing and maintaining economic viability.

The public also benefits from such a system. A single, transparent portal enhances access to information, improves accountability across agencies, and facilitates easier community engagement with the process. This aligns with CRS's finding that permitting delays and regulatory uncertainty are major barriers to securing stable domestic supplies of critical minerals. Streamlined processes not only reduce headaches for companies but also serve the national interest by ensuring that projects essential for energy, infrastructure, and defense can advance in a timely and transparent way.

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Questions from Rep. Harriet Hageman for Mr. Rich Nolan, President and CEO, National Mining Association

1. Mr. Nolan, in your testimony, you noted that the mining industry operates under an extensive structure of federal and state laws and regulations

a. How does the SPEED Act reduce duplication between state and federal review, and what benefits would this have for the mining industry?

The mining industry is subject to one of the most complex regulatory frameworks of any sector, operating under a broad suite of federal and state environmental laws. While the NMA and our members support regulations that both foster environmental protection and promote responsible development, we also rely on fair, consistent and predictable permitting processes to support our national priorities and remain competitive in the global economy. For too long, regulatory uncertainty in the permitting process has delayed projects, chilled investment in U.S. mining operations, and inhibited the ability to mine the raw materials on which our nation’s energy, infrastructure, manufacturing and mining supply chains depend.

The SPEED Act reduces duplication by allowing federal agencies to rely on state-prepared environmental reviews and documentation when these reviews and documents already meet federal standards. In essence, it allows for a comprehensive review to serve both state and federal purposes, eliminating the need for redundant filings and re-analyses. This reform recognizes the expertise of state regulators, who often possess in-depth knowledge of local conditions and community needs, while ensuring that projects meet rigorous federal standards.

In addition, the SPEED Act also supports needed judicial reforms, allowing the permitting process to get to a yes or a no, instead of miring the process in excessive litigation and delays that hurt project proponents and communities seeking economic development.

These benefits to the mining industry will be substantial. By reducing duplicative reviews, the SPEED Act shortens permitting timelines, lowers costs, and provides greater certainty for capital-intensive projects. For communities, this means projects can be evaluated more efficiently and transparently, without sacrificing environmental safeguards. For the nation, it strengthens supply chain security.

As the CRS report highlights, U.S.'s dependence on foreign sources – particularly China – for minerals presents significant strategic vulnerabilities. By making the permitting process more efficient and predictable, the SPEED Act will help ensure that domestic mines can be developed responsibly and on timelines that keep pace with national security and energy demands.

Ultimately, the reforms found in the SPEED Act create a permitting system that is both more efficient and accountable – all while supporting U.S. competitiveness and maintaining world-leading environmental protections.