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November 20, 2025

The Honorable Bruce Westerman
Chairman
House Natural Resources Committee
1324 Longworth House Office Building
Washington, D.C. 20515

The Honorable Jared Huffman
Ranking Member
House Natural Resources Committee
1329 Longworth House Office Building
Washington, D.C. 20515

Re: November 20, 2025 Markup of H.R. 4776, the Standardizing Permitting and Expediting Economic Development Act (SPEED Act)

Dear Chairman Westerman and Ranking Member Huffman:

The American Exploration & Mining Association (AEMA) appreciates the opportunity to express our strong support for H.R. 4776, the Standardizing Permitting and Expediting Economic Development Act (SPEED Act). As we have pointed out for years, the National Environmental Policy Act (NEPA) is broken. Originally enacted to inform federal decision-makers of the environmental implications of their decisions, it has become cumbersome, time-consuming and expensive, with real-world consequences that have delayed countless important projects across the country.

We simply are not moving projects forward in a timeframe that will allow our Nation to achieve its energy objectives or reduce our reliance on China and other adversaries for critical and essential minerals. The bottom line is that these delays directly threaten our national security and economic growth. Therefore, consistent with Congress' previous permitting reform efforts, including the Fiscal Responsibility Act of 2023 (FRA) amendments to NEPA, Executive Order (EO) 14154, Unleashing American Energy, and EO 14241, Immediate Measures to Increase American Mineral Production, AEMA fully supports the SPEED Act so that important projects, including mineral and infrastructure projects, can move forward expeditiously to meet our Nation's needs.

Interest of Commenters

AEMA is a 130-year-old, 1,800-member national trade association representing the minerals industry with members residing in 46 U.S. states, 7 Canadian provinces or territories and ten other countries. AEMA is the recognized national voice for exploration, the junior mining sector, and maintaining access to public lands, and represents the entire mining life cycle, from exploration to reclamation and closure. More than 80 percent of our members are small businesses or individuals who work for small businesses.

Since NEPA's enactment in 1969, our members have had extensive first-hand experience with the law and the federal permitting process. They are significantly impacted by decisions that are the direct result of how the NEPA process is administered by an array of federal agencies. Our members have been directly impacted by NEPA delays, including post-decision litigation, and are thus key stakeholders when it comes to developing a more efficient, timely and effective NEPA process.

Our members take great pride in producing the minerals America needs for infrastructure, and national and economic security, as well as the items people use every day. The U.S. mining industry is the safest, most environmentally responsible mining industry in the world, and drives continuous innovation to reduce social and environmental impacts that extend well beyond compliance. Mining and environmental protection are compatible, and mineral products make possible both the development of our society and the mitigation of modern society's impacts on the environment.

Unfortunately, the United States has historically had one of the longest environmental review and permitting processes in the world for mining projects, placing the United States at a competitive disadvantage in attracting investment for mineral development. These delays do not yield substantive environmental benefits and are not worth the significant additional costs to project sponsors. Furthermore, reforming NEPA processes is also crucial for creating high-quality jobs as mineral development and operational projects generate significant employment opportunities, particularly in rural and underserved communities.

The challenges of the U.S. federal environmental review and permitting processes and how they affect our supply chain of critical minerals were described in detail in a report issued by the Wilson Center.¹ In addition, S&P Global published a report titled "Inflation Reduction Act: Impact on North America Metals and Mineral Markets,"² which identified protracted permitting as a key factor in the shortage of critical and essential minerals, stating: "extended and uncertain timelines for permitting in the U.S. and around the world are a major obstacle to bringing new [copper] supply online to narrow that shortfall."

In recognizing the challenges associated with NEPA, the impacts of litigation must be considered because lawsuits are frequently the final step of any significant NEPA process. Typically, it is the NEPA analyses and federal permits for hardrock mining projects which are litigated in federal courts. Because NEPA litigation is so common, our members routinely anticipate at least two to three years, or more, of litigation delays when planning their proposed mining projects. Costly and time-consuming lawsuits burden projects and federal agencies and hurt communities waiting for jobs, tax revenues and other project-related benefits to materialize.

We Need a Reliable Domestic Mineral Supply Chain

The pandemic and geopolitical events have exposed the United States' supply chain vulnerabilities, highlighting the importance of an abundant and affordable supply of domestic minerals for America's future.

¹ https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/critical_minerals_supply_report.pdf

² <https://cdn.ihsmarkit.com/www/prot/pdf/0823/Impact-IRA-Metals-Minerals-Report-FINAL-August2023.pdf>

The fact is that global mineral demand is skyrocketing. Unfortunately, a lack of access to economically viable mineral deposits and a lengthy, inefficient federal permitting system has resulted in the U.S. being increasingly dependent on foreign sources of strategic and critical minerals. It's time that we, as a Nation, recognize this vulnerability and the vital importance of minerals to our national security, our economy, and our everyday lives. We have heard a lot over the years about the importance of energy independence, but it is equally as important, if not more so, that we are minerals independent.

In September 2016, the Government Accountability Office (“GAO”) published a report entitled “Strengthened Federal Approach Needed to Help Identify and Mitigate Supply Risks for Critical Raw Materials.” This report evaluated “certain metals, minerals, and other “critical” raw materials [that] play an important role in the production of advanced technologies across a range of industrial sectors and defense applications.” The GAO report found several limitations in the scope of federal critical mineral programs that are inconsistent with the directives in the National Materials and Minerals Policy, Research and Development Act of 1980. (30 U.S.C. §§ 1602 – 1605), hereinafter referred to as the 1980 Act.

In the 1980 Act, Congress found:

“the United States lacks a coherent national materials policy and a coordinated program to assure the availability of materials critical for national economic well-being, national defense, and industrial production, including interstate commerce and foreign trade.” (30 U.S.C. § 1601(7)).

In response to this finding, Congress declared:

“...it is the continuing policy of the United States to promote an adequate and stable supply of materials necessary to maintain national security, economic well-being and industrial production with appropriate attention to a long-term balance between resource production, energy use, a healthy environment, natural resource conservation, and social needs.” (30 U.S.C. § 1602)

Relying on adversaries and allies for the minerals needed for U.S. manufacturing has created our currently unsustainable dependence on foreign countries for minerals. The most recent USGS *Mineral Commodity Summaries* published in 2025 indicates that the U.S. is now more than fifty percent import-dependent for 46 different metals and minerals, and 100 percent import-dependent for 15 of those. Stated differently, the U.S. now imports the majority of 46 different minerals, nearly half of the naturally occurring elements on the Periodic Table, most of which can be mined in the U.S.

Made in America must include “mined in America” and sourcing minerals from U.S. mines that use state-of-the-art environmental protection measures, put a premium on worker health and safety, and have financial assurances that guarantee reclamation when mining is complete.

Background on Hardrock Mining

American miners continue to play an indispensable role in building and defending our Nation. From foundations to roofs, power plants to wind farms, roads and bridges to communications grids, data storage centers and artificial intelligence, America's infrastructure begins and ends with minerals and mining. Now is the time to get serious about building a reliable mineral supply chain. The U.S. mining industry stands ready to help build that supply chain right here in America.

AEMA members take great pride in producing the metals and other important minerals America needs for national and economic security, as well as the materials people use in their everyday lives. We are proud of our members' contributions across the communities and regions where they operate, many of which are rural areas facing significant economic and social development challenges. Notably, the U.S. mining industry is the safest, most environmentally responsible mining industry in the world. Our members have repeatedly demonstrated that mining and protecting the environment are compatible, as mineral producers make possible the development of society's basic needs and consistently minimize modern society's impacts on the environment.

The challenge of finding and developing mineral resources in the United States, or anywhere in the world, is very difficult because mineral deposits are geologically rare and hard to discover. Exploration and mining projects must undergo multiple lengthy stages of development. First, there is the initial identification of deposits that hold potentially developable mineral reserves. To this point, the United States has only explored and mapped the mineral potential on approximately 12 percent of the country's lands. The USGS estimates that it would take more than 10 years just to find and map all domestic resources, using modern technologies, with at least another 7-10 years to get those resources to market. Consequently, mining companies often do most of this work themselves and cover all the investments needed to advance a potential mineral deposit towards an operating mine.

It is also important to recognize that many federal lands across the western United States already have been closed to exploration and mining. Further restrictions would inevitably prevent mining in areas where there is insufficient information to determine whether critical and strategic minerals exist and need to be developed. There is no clear reasoning for such harmful restrictions, and they limit the flexibility of extracting our Nation's critical and strategic minerals where they are located and can be found.

AEMA's members operate their respective exploration and mining activities in a responsible manner through a wide range of social and environmental conditions across the United States. Their operations are subject to extensive evaluations at the project level where there is ample opportunity to ensure resource protection through federal and state permitting actions. To meet our imminent metal and mineral needs, the Congress and the administration should be focusing on how to expand areas that should be open to potential mining and exploration activities, instead of looking for ways to restrict regions from exploration.

After a potential deposit is identified through exploration, which often takes years of exploration-level permitting to ascertain, mining companies must determine a path to confirm the nature and scale of any developable resources. They must identify the amount of additional exploration

necessary to properly define the mineral deposit, gain approvals to conduct further studies, and then explore and report on the exploration results. Defining the deposit generally requires multiple years of drilling to establish the extent and quality of any valuable mineralization. This process can take up to several decades for large and complex orebodies. Exploration drilling and associated activities require significant investment, especially since they are often undertaken in geographically remote and challenging areas where access and infrastructure are limited. It is worth noting that only about 1 in every 1,000 prospective mineral deposits has the potential to become a producing mine.³ It's also noteworthy that a single deposit is rarely confined to one tenure type—that is, it may consist of federal tenure, private tenure or even State lands where any successful operation could, for example, provide a revenue stream to the school children of that State.

In the event a mineable resource is defined, the work continues for mining companies to determine whether there is an economical and feasible mine development scenario. This generally involves preparation of a Feasibility Study, sometimes preceded by a Pre-Feasibility Study, and requires several additional years to produce information sufficient to support a mine investment decision. Multiple years of baseline data collection and analysis are often undertaken to provide information for the feasibility work as well as for future permitting. While mining companies may start their pre-permitting work early, including at the exploration stage through Feasibility Study preparation, they often do not submit formal applications until a developable project is identified through the Feasibility Study.

Thus, while it is easy to focus on a single part of the mineral development process, it is important to recognize all the crucial stages involved with development of an operating mine. When projects require on average 29 years, according to S&P Global, to take a potential mineral resource to the point of mine construction, any government action that could lengthen this process or create disincentives, or create risk to the security of tenure, should be carefully weighed in terms of its ramifications. Moreover, even when a project has matured through the permitting process, litigation and other actions that jeopardize or delay further development or ancillary operations at mine sites can have severe consequences. Based on current trends, the next domestic mining project to help fill this Nation's critical needs could be decades away from providing any substantial benefit.

Comprehensive Environmental Protections Are Working

Federal land management agencies' current environmental protection requirements for locatable minerals provide effective and comprehensive environmental protection that safeguard all aspects of the environment including water resources, wildlife, special status species, air quality, cultural resources, soils, vegetation, and visual resources.

Surface management regulations govern how mineral activities must be conducted on public lands to minimize environmental impacts. Both the U.S. Bureau of Land Management and the U.S. Forest Service have specific regulations for locatable mineral activities that have been in effect for decades. These regulations, in conjunction with state environmental laws and regulations, establish environmental performance standards and reclamation bonding requirements to protect the

³ [https://burgex.com/improving-mineral-exploration/#:~:text=The%20success%20rates%20are%20low,producing%20mine%20\(at%20best\).](https://burgex.com/improving-mineral-exploration/#:~:text=The%20success%20rates%20are%20low,producing%20mine%20(at%20best).)

environment and guarantee mineral projects will be reclaimed when exploration and mining have been completed.

The American people are not on the hook for and have not paid any money to clean a mine site permitted on federal lands since 1990. Today's comprehensive suite of federal and state environmental laws and regulations, combined with robust financial assurance requirements, ensure that new abandoned mines are not being created.

The BLM and Forest Service must prepare NEPA environmental reviews prior to authorizing mineral projects that already analyze impacts, identify ways to eliminate, minimize, and mitigate impacts, and verify that proposed projects will comply with all applicable state and federal regulations.

The BLM, Forest Service, EPA, and state regulatory agencies have the authority to say no to mining if there are doubts that the project can meet specific environmental protection regulatory requirements. During the permitting process, regulators can require project proponents to go back to the drawing board to redesign a project to address concerns about environmental impacts.

Numerous other federal environmental statutes also govern mining, including but not limited to the Endangered Species Act, the Clean Air Act, the Clean Water Act, the National Historic Preservation Act, Archaeological Resources Protection Act, the Resource Conservation and Recovery Act, and the Comprehensive Environmental Response Compensation and Liability Act. The current system achieves the appropriate balance between mine development and environmental protection. There is no exalted status for mining. Rather, a rigorous demonstration is required to show that all aspects of the environment at a proposed mine will be protected.

AEMA wants to emphasize that it does not generally view compliance with substantive environmental protection laws and regulations to be a problem, because our members' projects are designed and operated with state-of-the-art environmental safeguards, and all our mining projects are fully bonded, and are carefully reclaimed when mineral exploration and mining activities are complete. Instead, it is the federally mandated permitting process – and associated litigation and administrative delays – that have caused major problems. For mine projects that involve federal permits and authorizations, the NEPA process consistently causes lengthy federal permitting delays and frequently results in subsequent litigation.

Conclusion

Demand for minerals in our advanced society is increasing every day. Minerals are critical to developing the innovative technologies that will propel our economy, enable America to compete globally and improve our quality of life. They are the building blocks for the manufacturing, construction, and automotive industries, and are essential to growth in fields such as advanced energy and healthcare. Current efforts to transition to a "green energy" economy are not possible without a robust domestic mining industry to provide the required minerals and metals.

Our mineral import reliance must be addressed. Americans and the environment lose when we offshore our mineral requirements. It makes no sense to create mining jobs elsewhere and import

minerals from countries, often adversaries like China and Russia, with inferior environmental protection and worker health and safety standards. Furthermore, decarbonization aspirations demand that we minimize the carbon footprint of our minerals by getting them from domestic mines rather than creating the substantial carbon emissions to ship minerals from around the globe. Mining makes every aspect of our lives possible. Most people never think about the pivotal role mining plays in their lifestyle and standard of living, but mined products are key to the advanced, technological, comfortable, and more healthful existence we enjoy. Like food and water, energy and minerals are essential. We are fortunate that America is blessed with a rich mineral endowment, and it is more important than ever to responsibly utilize our own mineral resources. In fact, it is a national imperative.

It is therefore imperative that lands with important mineral deposits remain accessible to responsible mineral exploration and development and that federal and state permitting processes can be completed in a timely manner.

By keeping our existing mines operating and getting new mines in operation, the economic impact ripples out far and wide: to employees, mine suppliers, local economies, and the downstream domestic industries we supply with our products. Not to mention the tax revenues we generate for local, state, and federal governments as a result of this economic activity. Few industries pack such an economic punch.

AEMA therefore urges your support for H.R. 4776. We look forward to continuing to work with you to ensure America has a secure and affordable supply of the minerals and metals needed for our modern society.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark O. Compton". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark Compton
Executive Director