

Questions from Rep. Pete Stauber to Mr. James Chen, Vice President of Public Policy, Rivian Automotive, LLC:

- 1) During an April hearing on EV minerals supply chains in the House Science, Space, and Technology Subcommittee on Investigations and Oversight, your colleague Chris Nevers, Senior Director of Public Policy for Rivian was asked to expand on how we should change U.S. mine permitting to help meet minerals demand for electric vehicle batteries. One of his recommendations was that Mining Law should be reformed in a way that supports “conflict avoidance and permitting efficiency...that protects special places while still expanding our domestic resources and manufacturing capacity.”**
 - a) What improvements would create permitting efficiencies to ultimately ensure adequate minerals supplies to meet your company’s future demands and that also reduce our outside reliance on foreign sources of minerals, some with less stringent environmental and labor standards?**

Rivian Response:

Rivian supports increasing domestic mineral production, but not at the expense of our special places, health of Indigenous and rural communities and bedrock environmental laws.

With thoughtful collaboration between policymakers, industry, public interest groups, tribes and local communities, the United States can have the cleanest and safest mines in the world.

We agree that permitting could be done more efficiently under current law with better coordination between federal agencies and states to avoid duplicative processes. We support the [provisions](#) included in the Bipartisan Infrastructure Law and the goals and [principles](#) of the President’s interagency working group to do that.

We believe that making decisions about appropriate places to mine at the front end of the process would increase permit certainty, and that will occur under proposals such as the House and Senate versions of the Clean Energy Minerals Reform Act, which will give land management agencies the ability to consider the appropriate use for our lands at the beginning of the process.

Another factor contributing to permitting inefficiency is the shortage of agency staff who oversees those processes. As Trout Unlimited wrote in their [testimony](#) before the Senate Energy and Natural Resources Committee last fall, “natural resource management agencies need staff to conduct timely environmental reviews, thorough permitting processes, and appropriate monitoring and mitigation. For instance, since 1995 the Forest Service has experienced a near 40 percent decline in non-fire personnel. That means fewer biologists, fewer engineers, fewer hydrologists, less community involvement, and fewer professionals available to ensure mining is done in a way that is compatible with other demands on our public lands.”

We encourage Congress to find a middle path forward, one that ensures the global mineral race does not become a race to the bottom.

- 2) **According to a Feb. 2022 New York Times Article, Rivian is struggling to fulfill orders due to supply chain disruptions for raw materials. In fact, customers that paid \$1,000 down payments for both the R1T and the R1S were initially told that the truck would arrive in March or April this spring, but have now pushed those times out to the first half of 2023.**
- a) **HR 7580 among other things, increases permitting timelines by adding additional requirements. Why are you supporting legislation that makes it more difficult for you to deliver your product by the timelines you promised to your customers?**

Rivian Response:

Rivian supports modernizing the 1872 Mining Law for the 21st Century, and increasing our domestic mineral production and processing capacity.

Rivian is not alone in dealing with supply chain constraints this year. The entire US auto industry—and advanced manufacturing sectors more generally—are experiencing supply chain constraints due to numerous factors, including ripple effects from the global COVID-19 pandemic, historic inflation, rising transportation costs, and logistics disruptions.

Rivian is in business to build the kind of future our kids and our kids' kids deserve. As such, we take a long view on how we are building our business, sourcing materials over the long term, and making sure we do so in the most efficient but responsible way. With that, we firmly believe that we need to modernize the 1872 Mining Law to ensure that our mining industry leads in long-term social and environmental responsibility – so our natural world and the services it provides is sustained forever regardless of permitting timelines. Once established, we then support the continued iteration of permitting processes to become more efficient over time.

We acknowledged in our written testimony the different economics governing the mining sector compared to the oil and gas sector, as well as concerns from the mining industry around gross royalties. However, we believe some level of royalty is appropriate and can be set without discouraging new investment—and we have seen the mining industry indicate this as well. We pointed to allied nations like Australia and Canada that have modern mining laws and still have robust domestic mining sectors.

In our testimony, we recognized the need to strike a balance between catalyzing new domestic mining investment in the near term and ensuring some portion of future royalties be set aside for reclamation. Increasing domestic mineral production and modernizing mining laws are not mutually exclusive, and bills like H.R.7580 would establish a framework that supports a responsible path forward for a new era of mining in America.