
ESSENTIAL MINERALS ASSOCIATION

February 27, 2023

The Honorable Representative Pete Stauber
Chairman
Subcommittee on Energy and Mineral Resources
House Committee on Natural Resources
1324 Longworth House Office Building
Washington DC, 20515

Dear Chairman Stauber:

On behalf of the members of the Essential Minerals Association (EMA), I write to thank you for your continued leadership on the issue of mineral permitting reform. The EMA supports H.R. 209, the Permitting for Mineral Needs (PERMIT-MN) Act of 2023 as a terrific first step in the process of reforming a system that all can agree is broken.

The EMA represents the interests of more than 80 member companies that mine, process, or support the minerals that are critical to nearly all aspects of everyday life. According to the most recent figures from the United States Geological Survey, the metal/non-metal industry generates approximately \$98 billion in production with an estimated 1.3 million direct and indirect jobs, of which EMA's members are significant contributors. This production contributes significant tax revenues to the nation's local, state, and federal governments.

The minerals produced by EMA's members are vital to the manufacturing processes for many, if not all, of the products we use every day. These minerals are used in agricultural feed, fertilizers, baking products, water purification needs, batteries, protective masks, dialysis machines, semiconductors, solar panels, glass, ceramics, paper, plastics, rubber, detergents, insulation, pharmaceuticals, cosmetics, foundry cores and molds used for metal castings, paints, filtration, metallurgical applications, refractory products, and specialty fillers. These are just a few of the many uses of our members' essential minerals.

It has become increasingly clear in recent years that the federal permitting system is fundamentally flawed. The current process is onerous and duplicative in nature, and does not provide definitive time lines for reviews to occur. Even after going through the regulatory process, a company then faces the uncertainties of litigation which creates further delays. If the United States is to establish a more secure domestic supply chain of the minerals that are vital to our manufacturing and agricultural needs, then we must have a much more efficient process in place to provide mining entities with the predictability and clarity they need.

From comments seen from both sides of the aisle in recent Natural Resources Committee hearings, we believe there is now bipartisan agreement on the need to reform our permitting system for the minerals sector. The transition to a greener economy relies upon an adequate and reliable domestic minerals supply, but the system currently in place in the United States makes it exceedingly difficult for a company to justify making the tens of millions of dollars of investments necessary to begin production. The current process is almost comical when compared to similar countries like Canada and Australia that can permit a mine in

under three years with very similar environmental standards, whereas in the United States it routinely takes over a decade.

Our country's national and economic security depend on strong domestic supply chains for mineral resources. Continuing to rely upon our strategic adversaries for the resources we need is an untenable policy, and streamlining the permitting for domestic mineral operations is a crucial step toward rectifying that dependence. We are currently being held hostage by China, Russia, and others for many of these minerals that we rely on for every aspect of our lives, and global geopolitical conditions globally continue to worsen by the day. China, Belarus, and Russia currently control 60 percent of the global supply of fertilizer, and they also control the supply of dozens of other minerals that are vital for agriculture and manufacturing. We are still seeing the impacts of the supply chain disruption from Covid-19. This is an unacceptable dynamic, but one that can largely be rectified if Congress does the right thing by passing the PERMIT-MN Act to secure our domestic mineral supply chains.

We need to address this issue swiftly, and it must be bipartisan. All sides need to come to the table and reach a commonsense solution that allows for the rapid, environmentally safe development of the domestic mineral resources we have here at home. Producing more minerals domestically will allow those minerals to be extracted and processed under the protections of U.S. environmental laws and regulations, as well as those protecting worker health and safety. EMA member companies strive every day to protect vital land, air, water, and cultural resources while conducting operations, in addition to providing exemplary protection for the health and safety of their workers. This is in stark contrast to countries like Russia and China who have abysmal environmental standards and little or no regard for worker health and safety. Developing more domestic mineral production will benefit the environment, the workforce, and our country as a whole, and H.R. 209 will help achieve that objective.

In particular, we strongly support the PERMIT-MN Act's provision to require federal agencies to complete Environmental Assessments required under the National Environmental Policy Act (NEPA) within 12 months and Environmental Impact Statements within 24 months. The clarity and predictability these timelines would provide will incentivize U.S. mining entities to invest in domestic operations. Many EMA members have seen permit applications languish for ten years or more with no guarantee of any decision ever being made, which deters development of essential mineral resources. We can and must do better, and the timelines in H.R. 209 are a key step in the right direction.

We also support the PERMIT-MN's narrow and specific focus on permitting reform for the mining sector. While there may be partisan disagreement in Congress about permitting for other resources, there is bipartisan agreement on the need to increase domestic mineral resources. Permitting reforms in the previous Congress failed because of the disagreement over the inclusion of energy resources in those reforms, and we do not wish to see that same result in this Congress.

The EMA believes that in order for this issue to be addressed and for meaningful changes to occur in a timely manner, we must have a minerals-specific bill like the PERMIT-MN Act. Including other, more controversial resources in the permitting reform debate will only serve to slow the process down and prevent this needed change from occurring. With this in mind, the EMA strongly encourages the Natural Resources Committee and House leadership to allow the PERMIT-MN Act to remain a stand-alone vehicle and remain a minerals-only bill.

Enacting meaningful permitting reform legislation is vital to the future of the American economy as well as our national security. Increased domestic mineral production will create jobs across the country and will better enable our economy to complete the transition to renewable energy technologies; ensure farmers have adequate and affordable supplies of fertilizer, feed, and seed; support domestic manufacturing; provide

resources to the healthcare sector; allow quality and affordable housing to be constructed; and supply our military with the sophisticated weapons and equipment to defend our country and our freedom both now and into the future.

EMA strongly supports the PERMIT-MN Act as a long overdue step to promoting mineral development in the United States.

We recognize and support that there must be changes to this bill to ensure that all sides' concerns are heard throughout not just the process of finalizing this bill, but in the implementation of the bill as well. Congress must enact the bill on a bipartisan basis as soon as possible to secure our domestic supply chains for essential mineral resources that are vital to the everyday life of millions of Americans. We look forward to continuing to work with you and your colleagues on both sides of the aisle to accomplish this goal.

Please do not hesitate to reach out if we can be helpful in any way.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Greissing". The signature is fluid and cursive, with a large initial "C" and "G".

Chris Greissing
President
Essential Minerals Association