

**Statement for the Record
Advanced Energy United**

**House Committee on Natural Resources
Subcommittee on Energy and Mineral Resources**

Legislative Hearing

H.R. 2925, Mining Regulatory Clarity Act of 2023

January 31, 2024

Dear Chair Westerman, Ranking Member Grijalva, Chair Stauber, Ranking Member Ocasio-Cortez, and members of the Committee,

Advanced Energy United (“United”) appreciates the opportunity to submit this statement for the record on H.R. 2925, the Mining Regulatory Clarity Act of 2023.

United is an association of businesses that educates, engages, and advocates for policies that allow our member companies to compete to power our economy with 100 percent clean energy. We work with decision makers at every level of government, as well as regulators of energy markets, to achieve this goal. The businesses we represent are lowering consumer costs, creating thousands of new jobs every year, and providing the full range of clean, efficient, and reliable energy and transportation solutions.

This goal of reaching a 100 percent clean energy future is what drove United’s [endorsement](#) of the Mining Regulatory Clarity Act when it was first introduced in the Senate; we were pleased to see the House companion bill introduced with similar, bipartisan support. Making the transition to a 100 percent clean, fully electrified economy necessitates the production of more critical resources, from lithium to nickel and copper to graphite. This understanding that our clean energy future is intrinsically tied to our national minerals policy is what led to the development of United’s [policy principles](#) on the mining, reuse, and recycling of critical minerals in early 2023. These principles – which pair the need for permitting reform that protects workers, surrounding communities, and the environment with comprehensive reuse and recycling policy – have served as our guide for evaluating bills in this space. In our view, the Mining Regulatory Clarity Act readily fits with these principles.

In order to build a robust supply chain for U.S. manufacturers of advanced energy technologies, we need to expand U.S. mineral production in a responsible and sustainable manner. By

expanding mineral production here in the U.S., we are not only addressing the issue of foreign dependence for these commodities, but we are also ensuring that the mining will be subject to stringent U.S. regulations that protect workers, communities, and our natural resources. Unfortunately, the Rosemont decision, which prompted the need for this legislative clarification in the first place, injects in our view unnecessary uncertainty into the future of all domestic mining operations; if left unchecked, we fear it will ultimately prove detrimental for our supply chains and a *wholly* clean energy economy.

We see this bill as a necessary step to reestablish business certainty around our mining rules and regulations. It seeks only to maintain the status quo by reaffirming prior legal interpretations and historical applications of the law. We're at a critical juncture for the clean energy future. While we will continue having larger conversations and working towards passage of a comprehensive permitting reform package, this bill represents a bipartisan proposal that can reasonably be agreed to right now in order to address a pressing need. Our industry is already facing growing demands amid our national clean energy transition and, as such, needs timely certainty on rules and regulations. This clarifying law is a step towards what the nation needs to secure domestic supply chains for the clean energy future.

As evidenced by this statement for the record, our statement for the record submitted to the Senate Energy and Natural Resources Committee last year, as well as our endorsement when the bill was first introduced, United supports this bipartisan legislation brought forward by Representatives Amodei and Peltola wishes to see it move expeditiously.

Sincerely,

Harry Godfrey
Managing Director, Advanced Energy United