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On March 7, the full House Committee on Natural Resources marked up the National Strategic and Critical Minerals Production Act (H.R.520), following a hearing to consider the bill last month. The Act, introduced by Representative Mark Amodei (R-NV-2) on January 13, aims to support domestic production of minerals that are of strategic and critical importance to the economic and national security, energy infrastructure, and manufacturing competitiveness of the United States.

H.R.520 would streamline the permitting process and set forth general requirements for an existing mineral exploration or mine permit application. Specifically, the bill would require projects involving the development of strategic and critical minerals to be considered infrastructure projects, as described in Executive Order 13604 dated March 22, 2012, which directed federal agencies to significantly reduce the time required to make permitting and review decisions on infrastructure projects.

The bill would also require the Bureau of Land Management (BLM) or the Forest Service to appoint a project lead for the mine permitting process to coordinate with other agencies to minimize delays, set and adhere to timelines for completion of the permitting process, set clear permitting goals, and track progress against goals. The bill states that requirements of the National Environmental Policy Act of 1969 (NEPA) are satisfied if the BLM or Forest Service determines that the agency issuing the permit will address specified factors, such as environmental impact, possible alternatives to issuance of the permit, or any irreversible commitment of resources that would be involved in the proposed action. Furthermore, projects on National Forest System land would be exempt from regulations that prohibit timber tree cutting and road construction in areas without roads.

H.R.520 was reported favorably as amended by the committee, after members agreed upon an amendment offered by Representative Garret Graves (R-LA-6) to expand the definition of critical minerals to include minerals that are necessary for community resiliency, coastal restoration, and ecological sustainability for the coastal United States. The bill now awaits action on the House floor.

Similar versions of the bill – also previously introduced by Representative Amodei – passed the House in the 112th, 113th and 114th Congress. An identical bill (S.145) was introduced in the Senate on January 12 by Senator Dean Heller (R-NV) and referred to the Committee on Energy and Natural Resources.

Sources: Library of Congress, U.S. House Committee on Natural Resources, White House
