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Legislative Hearing on H.R. 7807 Intergovernmental Critical Minerals Task Force Act

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Good afternoon, Chairman Stauber, Ranking Member Ocasio-Cortez and members of the Subcommittee. My name is Cheryl Lombard, and I am the Senior Program Director for Power, Infrastructure and Minerals of ClearPath Action, a 501(c)(4) organization that advocates for more clean energy innovation, modernized permitting and regulatory reform, America's global competitiveness for manufacturing, and unlocking more American resources. To further that mission, we develop cutting-edge policy solutions on clean energy and clean manufacturing innovation. ClearPath Action collaborates with public and private sector stakeholders to enable private-sector deployment of critical technologies, and receives no industry funding.

Thank you for the opportunity to testify today. America's energy demands are rapidly increasing. Some estimates show the U.S. will need to double the capacity of our bulk power system over the coming decades to meet expected energy demand. Expanding this capacity requires substantial infrastructure - batteries, transmission systems and more - all of which rely on critical minerals. Consequently, the International Energy Agency (IEA) predicts that demand for energy-related minerals like lithium, cobalt, graphite and nickel could grow 20 to 40 times by 2040.¹

As global demand for critical minerals and materials increases, the U.S. will either responsibly develop these resources here at home or continue to rely on foreign sources that, in many cases, pose human rights challenges, present national security risks, and result in increased environmental impacts.

My testimony will focus on four key themes for how Congress and this Committee can work to meet that demand with American supply and capitalize on these efforts to accelerate American innovation and domestic resources to reduce global emissions. Specifically, I will focus on:

- The Intergovernmental Critical Minerals Task Force Act which includes coordination across federal, state and local agencies as well as minerals recycling and reuse;
- The challenges with maintaining the status quo of U.S. reliance on foreign critical minerals and associated national security risks;
- Strategic recommendations to streamline permitting for domestic resources; and
- Strengthening U.S. and allied supply chains for critical minerals to reduce reliance on foreign adversaries.

H.R.7807, the Intergovernmental Critical Minerals Task Force Act, is a step toward achieving these goals. ClearPath Action [supports](#) this legislation because it creates a coordinated strategy to secure critical mineral supplies domestically, reducing reliance on foreign sources and enhancing U.S. economic and national security.

¹ <https://www.iea.org/reports/the-role-of-critical-minerals-in-clean-energy-transitions/executive-summary>

H.R. 7807 is the latest example of how this Committee has highlighted the importance of leveraging domestic mineral resources throughout the 118th Congress. Earlier this Congress, this Committee prioritized permitting reform by advancing the H.R. 1, The Lower Energy Costs Act. Parts of this bill were later codified by securing key provisions in the debt ceiling agreement enacted through the Fiscal Responsibility Act. This Committee has passed numerous mining-related bills, including H.R. 2925, the Mining Regulatory Clarity Act of 2024, which would remedy the negative impacts of the *Rosemont* decision. All of these actions point in the same direction: to align U.S. domestic and international interests to meet our critical mineral needs.

Today, America is dependent on foreign supply chains. According to the 2024 U.S. Geological Survey's Mineral Commodities Summary, the U.S. was 100 percent net import-reliant for 15 of the 50 individually listed critical minerals and was more than 50 percent net import-reliant for an additional 26 critical mineral commodities. Meanwhile, China was the leading producing nation for 28 of those same 50 critical minerals.² The Aspen Institute's report on "A Critical Minerals Policy for the United States" further underscored that rising demand for minerals will place significant stress on global supply chains and undermine the ability of the U.S. to deploy more clean energy.³ Equally concerning, China exerts dominant control over the refining process for a large majority of rare earth elements and has demonstrated a willingness to leverage its influence to pursue political objectives.⁴

Despite these dynamics, the U.S. struggles to permit projects that unlock these critical minerals and materials. Recent data from Goldman Sachs shows regulatory approvals for mines have fallen to the lowest level in a decade, coinciding with substantial demand growth for sectors that require them to obtain inputs, like transportation, technology, military equipment and machinery, and energy.⁵

Recognizing the challenges posed by limited domestic production capacity, the Committee has shown its dedication to enhancing America's ability to utilize domestic resources to be globally competitive. As policymakers work to fortify U.S. supply chains, reduce reliance on foreign critical minerals, and promote economic growth, Congress should consider solutions that restore predictability and encourage private sector investment across the critical minerals supply chain.

The Intergovernmental Critical Minerals Task Force

The Biden Administration has proposed numerous actions that have created new challenges for domestic mining projects, prolonging already lengthy permitting processes, and limiting access to domestic resources while favoring those sourced from overseas. Actions such as the proposed withdrawal of 10 million acres in Wyoming and the cancellation of mining leases in Minnesota, home to uranium, helium, titanium, nickel, copper, zinc, rare earth elements and other precious metals⁶ increase U.S. reliance on foreign sources of critical minerals, often from countries with

² <https://pubs.usgs.gov/publication/mcs2024>

³ <https://www.aspeninstitute.org/wp-content/uploads/2023/06/Critical-Minerals-Report.pdf>

⁴ <https://chinapower.csis.org/china-rare-earths/>

⁵ <https://www.goldmansachs.com/insights/goldman-sachs-research/copper-is-the-new-oil>

⁶ <https://www.wsgs.wyo.gov/products/wsgs-2022-critical%20minerals-summary.pdf>

lower environmental and labor standards. Additional measures, including the suspension of the Ambler Road project in Alaska⁷ and the designation of mineral-rich areas in Arizona⁸ as protected lands, may further impact domestic supply of copper, lead, silver, gold, uranium, and molybdenum, and zinc.

In accordance with a Biden Administration Executive Order, the Department of Interior's Interagency Working Group (IWG) released a report in September 2023 with 65 recommendations to improve mining on public lands, including transitioning to a leasing system and imposing royalties on extracted minerals.⁹ However, industry leaders such as the National Mining Association (NMA), criticized these recommendations as unreasonable and unworkable, arguing they could hinder domestic mining projects and investment.¹⁰

In contrast, the Intergovernmental Critical Minerals Task Force, as proposed in H.R.7807, would create a unified, strategic approach to securing the U.S. supply of critical minerals. The Task Force would be a crucial counterbalance to the Biden Administration's proposals, leveraging bilateral expertise to strengthen U.S. capabilities, securing a stable domestic supply chain, reducing dependency on adversaries, and improving American energy and manufacturing capacity.

These minerals play a foundational role in American manufacturing, technologies to boost grid reliability, military equipment, energy infrastructure, and other technologies that underpin the U.S. economy and defense systems. The Task Force would coordinate efforts across federal, state, local, Tribal, and territorial governments to address vulnerabilities in the U.S. critical mineral supply chains. Leveraging expertise and resources at every level of government, the Task Force would strengthen domestic mining, processing, refinement, and recycling capabilities, creating new pathways for high-quality American jobs and reducing reliance on foreign adversaries like China.

The Task Force would serve as a central hub for data sharing and supply chain transparency, fostering a collaborative framework to identify and mitigate security risks proactively. This transparency improves decision-making across agencies, equipping the U.S. to assess current supply chain risks and respond swiftly to potential supply disruptions.

The Task Force's mandate extends beyond immediate security concerns to establish a foundation for long-term growth within the critical minerals sector. Identifying responsible domestic opportunities for mining, processing, and recycling will produce a self-sustaining supply chain that balances economic and environmental priorities. The Task Force's establishment reflects a strategic commitment to America's economic future, national security, and environmental

⁷ <https://www.ambleraccess.org/About/Benefits>

⁸ <https://www.usgs.gov/centers/national-minerals-information-center/mineral-industry-arizona#:~:text=Arizona%20leads%20in%20copper%20production,gypsum%2C%20lime%2C%20and%20salt.>

⁹ <https://www.doi.gov/sites/default/files/mriwg-report-final-508.pdf>

¹⁰ [IWG Recommendations on Mining Unworkable and Unreasonable](#)

stewardship, protecting U.S. technological leadership and industrial capacity for decades to come.

U.S. Reliance on Foreign Critical Minerals and Associated National Security Risks

The United States' reliance on foreign sources for critical minerals poses significant national security risks as demand for these minerals skyrockets. With the global shift toward clean energy technologies, critical minerals like lithium, cobalt, graphite, and nickel have become essential. ClearPath Action maintains that an "all of the above" approach - encompassing domestic exploration, extraction, processing, and recycling - is essential to bolster U.S. supply chains. Without a comprehensive approach, the U.S. will remain dependent on adversarial nations, like China with its stronghold on mineral processing and supply chains, leaving the U.S. vulnerable to political and economic coercion.

Exploration and accreditation of critical mineral resources within U.S. borders form the foundation of a secure supply chain. Investment in modern exploration techniques and streamlining accreditation processes can identify viable deposits faster and with greater efficiency, minimizing permitting delays and helping meet projected demand. However, the U.S. must also prioritize extraction capabilities to convert these identified resources into viable supplies. Increasing domestic mining capacity is crucial, as foreign adversaries currently control much of the supply chain, particularly in processing and refining.¹¹

Processing remains a major bottleneck, as China controls global refining for 90% of global rare earth element supply and 60-70% of global lithium and cobalt supply.¹² Establishing U.S.-based processing facilities will reduce the need to send raw materials abroad, allowing the U.S. to add value domestically and create a more resilient supply chain.

Recycling must also play a critical role in securing critical mineral supplies by creating secondary sources. While recycling alone cannot meet projected demand, it is a supplement to primary extraction and helps to reduce environmental impacts. Metals such as aluminum, nickel, and copper already have recycling rates exceeding 40%.¹³ As materials cycle through the system and recycling technology advances, secondary sources can partially close the supply gap, easing dependence on foreign adversaries and creating a more efficient supply chain.

Strategic Recommendations to Streamline Permitting for Domestic Resources

Last September, the Biden Administration proposed designating the critical minerals supply chain as a covered sector under FAST-41, which provides expedited coordination and oversight procedures for infrastructure projects being reviewed by federal agencies to increase accountability through consultation and reporting on projects. This exemption could artificially

¹¹ <https://kleinmanenergy.upenn.edu/research/publications/the-not-so-rare-earth-elements-a-question-of-supply-and-demand/>

¹² <https://www.iea.org/reports/energy-technology-perspectives-2023/clean-energy-supply-chains-vulnerabilities>

¹³ <https://www.energymonitor.ai/tech/why-recycling-is-no-golden-ticket-to-endless-critical-minerals/>

restrict the types of projects eligible to apply to FAST-41.¹⁴ To date, the South32 Hermosa project is the only recipient of FAST-41 status. While this action by the Federal Permitting Improvement Steering Council (FPISC) aims to bring much-needed efficiency and predictability to the lengthy timelines for critical mineral extraction, processing, and recycling, it is clear that it alone is an insufficient process to remedy the scale and scope of the challenges. H.R. 7807 is well-positioned to build upon these efforts.

As demand for these minerals surges, the Intergovernmental Critical Minerals Task Force could play a crucial role implementing all of the FAST-41 improvements. With its intergovernmental focus, the Task Force can bridge coordination gaps across federal, state, local, and Tribal jurisdictions. It would provide a platform for aligning priorities, sharing information, and streamlining communication which are key elements in permitting bottleneck reduction. These coordinated efforts would enhance the FAST-41 benefits that may not fully reach local jurisdictions or align with state goals, creating inconsistencies that could diminish the initiative's impact.

Regulatory delays, sometimes stretching nearly a decade, drive up project costs and stall high-impact initiatives that offer substantial benefits to the U.S., including reduced energy costs, greater energy independence, expanded economic opportunity, and lower global emissions. The current permitting system overwhelmingly favors those who delay or block projects rather than those working to build.

Federal permitting must shift to expedite approvals for projects that deliver net benefits and meet legal standards for clean air and water. Developers also need stable regulatory certainty from one administration to the next. This is especially for critical mineral projects. Legal decisions, such as the 9th Circuit's ruling in *Center for Biological Diversity v. U.S. Fish and Wildlife Service*, also known as the "Rosemont decision," have further complicated domestic mining efforts. This shift from a long-running administrative policy has created a new barrier that has stifled domestic production and slowed federal investment in reshoring supply chains. House Republicans highlighted the urgency of reform in H.R.1 which has gained bipartisan support in the Senate as well. Addressing this regulatory flux is essential to giving entrepreneurs the confidence to proceed responsibly with domestic operations.

Strengthening U.S. and Allied Supply Chains for Critical Minerals to Reduce Reliance on Foreign Adversaries

Achieving mineral security requires both time and strategic international collaboration. The Task Force will advance efforts with key partners and allies. Diversifying supply sources strengthens domestic capabilities and builds resilient supply chains that protect U.S. national security and economic stability.

While the Biden Administration has convened a "Minerals Security Partnership," and other regional dialogues with key nations in an attempt to address such challenges, these informal diplomatic arrangements lack direction, durability, and transparency without Congressional

¹⁴ <https://www.permits.performance.gov/fpisc-content/permitting-council-moves-designate-critical-minerals-supply-chain-fast-41-sector>

guidance and accountability. A key aim of H.R. 7807 is to do exactly that: coordinate across government to ensure negotiations translate into actions that empower the private sector to innovate and lead in this sector with ethical, market-based solutions.

The U.S. and its partners must expand mining, processing, and recycling capabilities, building job growth and addressing labor shortages across borders. As over half of the U.S. mining workforce approaches retirement, creating a shortfall of 221,000 skilled workers, other countries like Canada and Australia face similar challenges, with severe talent shortages expected in their mining sectors.¹⁵ These international shortages highlight the need for a coordinated effort to secure skilled talent for the mineral supply chain. The Intergovernmental Task Force can advance solutions by collaborating with these allied nations to establish international training and exchange programs. These initiatives would foster talent development, share best practices, and strengthen the entire critical mineral supply chain, positioning allies to compete globally while securing resources domestically.

Expanding bilateral and multilateral frameworks in a coordinated manner with Congressional engagement should be a pillar to supporting the diversification of critical mineral supply chains. Trade agreements with countries that meet U.S. standards can reinforce supply security. However, these agreements must complement, not replace, robust domestic production efforts.

Conclusion

The Intergovernmental Critical Minerals Task Force Act is essential for securing a stable domestic supply chain, reducing reliance on foreign adversaries, and supporting U.S. economic and energy security. This legislation can create jobs and drive innovation in critical minerals by streamlining regulatory processes and enhancing coordination across government and industry. Thank you again for the opportunity to testify today. ClearPath Action looks forward to working with this Committee to further all American critical mineral and material independence. We urge Congress to advance this initiative for a more resilient and independent U.S. supply chain.

¹⁵ <https://www.csis.org/analysis/united-states-needs-more-mining-engineers-solve-its-critical-mineral-challenges>