



Resourceful Information

Chairman Doc Hastings

How It Works: the *National Strategic and Critical Minerals Production Act*

The *National Strategic and Critical Minerals Production Act* allows the United States to more efficiently develop our Nation's strategic and critical minerals, such as rare earth elements, that are vital to job creation, American economic competitiveness and national security.

Specifically, H.R. [761](#):

- Requires the Department of the Interior and the Department of Agriculture to more efficiently develop domestic sources of strategic and critical minerals and mineral materials; including rare earth elements.
- Defines strategic and critical minerals as those that are necessary:
 - For national defense and national security requirements;
 - For the Nation's energy infrastructure including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production;
 - To support domestic manufacturing, agriculture, housing, telecommunications, healthcare and transportation infrastructure; or
 - For the Nation's economic security and balance of trade.
- Facilitates a timely permitting process for mineral exploration projects by clearly defining the responsibilities of a lead agency. The lead agency is given the ability to cut through bureaucratic red-tape, duplicative reviews and enhance government coordination. The lead agency is directed to mitigate environmental impacts while developing America's mineral resources.
- The bill sets the total review process for issuing permits to 30 months—currently, it can take over 10 years for agencies to issue permits to allow mineral production work to begin.
- Ensures American mining projects are not indefinitely delayed by frivolous lawsuits by setting reasonable time limits for litigation.
- Sets a 60 day time limit to file a legal challenge to a mining project, gives standing to project proponents, and limits injunctive relief to what is necessary to correct the violation of a legal requirement, and prohibits the payment of attorney's fees, expenses and other costs by the U.S. taxpayer.
- Respects and upholds all environmental laws while setting timelines that ensure these laws do not become tools for lawsuits or bureaucrats to block or delay responsible projects.

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