Statement of
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House Natural Resources Subcommittee on Energy and Mineral Resources

Legislative Hearing on
H.R. 280, Combating Obstruction Against Leasing (COAL) Act
H.R. 3872, Mineral Extraction for Renewable Industry & Critical Applications (MERICA) Act
H.R. 4068, Streamlining NEPA for Coal Act
H.R. 4090, Codifying provisions of certain Executive Orders relating to domestic mining & hardrock mineral resources
H.R. 4018, To Unleash America's Offshore Critical Minerals & Resources
H.R. 1366, Mining Regulatory Clarity Act

September 3, 2025

Chairman Stauber, Ranking Member Ansari, and Members of the Subcommittee, thank you for the opportunity to provide testimony on behalf of the Department of the Interior (Department).

The public lands and minerals stewarded by the Department include more than 480 million acres of surface land, 750 million acres of subsurface and mineral estate, and more than 3.2 billion acres offshore. The mineral resources contained in these lands are critical to achieving American energy dominance, and their development will power our economy, bolster national defense, and support emerging technologies. Non-energy minerals produced from public lands generate billions of dollars to the economy and support tens of thousands of jobs. The Department is working every day to responsibly develop our national assets to grow our economy, help balance the budget, and generate revenue for American taxpayers, while at the same time protecting our beautiful lands, abundant wildlife, and clean air and water.

The Department is proud to be working to fulfill President Trump's vision for national and economic security, as described in Executive Order 14154, *Unleashing American Energy*, Executive Order 14261, *Reinvigorating America's Beautiful Clean Coal Industry*, Executive Order 14241, *Immediate Measures to Increase American Mineral Production, and Executive Order 14285 Unleashing Americas Offshore Critical Minerals and Resources* In light of these and other Presidential Actions, the Department immediately took steps to support these priorities. This included ending the Obama-era coal leasing moratorium, as well as approving the expansion of the Spring Creek Coal Mine in Montana, which has 40 million tons of recoverable resource and will directly support hundreds of American jobs. The unleashing of domestic coal resources will allow the United States to end its reliance on foreign sources, where development often occurs with little or no concern for the environmental impacts. Additionally, the Department recently issued its first-ever Request for Information and Interest (RFI) for offshore critical mineral exploration in the waters surrounding American Samoa. This RFI marks a foundational step in assessing commercial interest and guiding environmental and geological evaluations in underexplored regions of the U.S. Exclusive Economic Zone.

Recognizing that mineral development is a national security priority, the Department is committed to ensuring the United States is the leading producer and processor of critical minerals, including rare earth elements, in order to create jobs and prosperity at home, strengthen domestic supply chains, and reduce the global influence of adversarial states.

Currently, the Department is working to reverse and remove bureaucratic hurdles intended to suppress domestic mineral production. Supported by its bureaus, the Department is actively increasing production of affordable, reliable energy and minerals on federal lands, and further contributing to America's critical mineral dominance by updating the U.S. Geological Survey's (USGS) list of critical minerals. These efforts include continuing the ongoing geological mapping of the country and publishing a factsheet on deep sea mineral opportunities. The Department also recently announced policy steps to speed up the search and development of critical offshore minerals, combining streamlined policy, cutting-edge science, and greater certainty for industry.

The Department supports each of the bills on the hearing agenda, as they further the Administration's priorities to expand access to mineral resources, strengthen domestic energy security, and bolster American energy independence.

H.R. 280, Combating Obstruction Against Leasing (COAL) Act

H.R. 280 requires the Secretary of the Interior, as soon as practicable after enactment, to take all actions to grant qualified coal lease applications. For those applications that are already undergoing a review process under the National Environmental Policy Act (NEPA), the bill requires the BLM to publish a draft Environmental Assessment and any applicable implementing regulations. In addition, H.R. 280 nullifies the Department's Secretarial Order 3338, issued on January 15, 2016, which placed a moratorium on most new federal coal leases.

Analysis

American coal has survived decades of regulatory assault and will play a pivotal role in continuing to power America going forward. In April, the Department ended the Obama-era Federal Coal Moratorium and removed layers of red tape that undermined clean American coal production on federal lands. The Department supports this bill and looks forward to working with the Sponsor and the Subcommittee to implement further policy and regulatory reforms to position coal as a cornerstone of the nation's energy strategy and ensuring federally-managed lands remain open and accessible for responsible energy development.

H.R. 3872, Mineral Extraction for Renewable Industry & Critical Applications (MERICA) Act

H.R. 3872 amends the Mineral Leasing Act for Acquired Lands (MLAAL) to establish that all lands acquired by the federal government are eligible to be considered for hardrock mineral leasing, including those where leasing authority did not previously exist.

Analysis

The Department's authority to issue prospecting permits and leases for hardrock minerals on lands acquired by the United States is currently limited to certain lands acquired under the authority of just a handful of statutes, all of which are listed in 43 C.F.R. 3503.13. The authority to issue hardrock leases does not extend to other acquired lands beyond those listed. Under the MLAAL, the Department has the authority to issue leases for oil, gas, coal, phosphate, sodium and potassium on all lands acquired by the United States. However, the MLAAL does not include the authority to lease hardrock minerals on lands acquired by the United States. This creates barriers for the recovery of minerals needed for economic and national security. For example, lithium – currently in high demand for a variety of industrial, medical, and everyday uses – has been identified in the Smackover Formation in the southeastern United States, including parcels acquired by the United States on which the Secretary is not currently authorized to issue hardrock leases or prospecting permits on acquired lands because there is no statutory authority to do so.

As stated by President Trump in EO 14241, *Immediate Measures to Increase American Mineral Production*, it is imperative for our national security that the United States take immediate action to facilitate domestic mineral production to the maximum possible extent. The Department supports H.R. 3872, which would expand the federal lands available for hardrock mineral development, further supporting the President's direction. The Department recommends that the Sponsor consider adjusting the definition of hardrock minerals so that it specifically excludes deposits of phosphate and gilsonite to align the bill with established statutory and regulatory definitions. The Department also recommends replacing the reference to "industrial metals" with "industrial minerals" to ensure that certain minerals are not unintentionally excluded from the scope of the definition of "hardrock mineral." We look forward to working with the sponsor and the subcommittee to address these and other technical issues with the bill.

H.R. 4068, Streamlining NEPA for Coal Act

H.R. 4068 requires the Secretary to identify, within 30 days of enactment, any existing and potential categorical exclusions pursuant to NEPA that could further the production and export of coal. The bill further directs the Secretary to provide the identified categorical exclusions to the House Committee on Natural Resources and the Senate Energy and Natural Resources Committee.

Analysis

Since the beginning of the Trump Administration, the Department has reaffirmed its commitment to supporting American Energy Dominance with a renewed focus on coal. The Department agrees that categorical exclusions (CXs) provide an efficient mechanism, where appropriate under existing law, to meet legal requirements while expediting work on the ground. In response to Executive Orders, including 14154, 14156, and 14261, the Department has evaluated CXs from numerous federal agencies for their applicability in expediting energy projects. As a result, the BLM recently adopted 102 CXs that were already approved and in use by other agencies.

In addition to the actions already taken by the BLM, the Department will continue to implement policy and regulatory reforms to position coal as a cornerstone of the nation's energy strategy and looks forward to working with the Subcommittee on these efforts. The Department supports

H.R. 4068, as it aligns with the actions the BLM is taking to expand access and remove long-standing regulatory barriers that have undermined American coal production.

H.R. 4090, Codifying provisions of certain Executive Orders relating to domestic mining & hardrock mineral resources

H.R. 4090 would require the Secretary to submit to Congress the dollar value and the overall economic impact of the United States' reliance on imported mineral commodities, and to include this information in the 2026 United States Geological Survey's (USGS) Mineral Commodity Summaries.

The bill would mirror provisions of Executive Order 14154, *Unleashing American Energy*, by requiring the Secretary to submit to Congress a list of each mining project on federal land for which a plan of operations, permit application, or other application for approval has been submitted to the Department, identify each priority mining project that can be immediately approved, and take all necessary steps to expedite and approve each such project.

The bill also codifies portions of Executive Order 14154 by requiring review of all existing agency actions that impose an undue burden on the exploration, identification, development, or operation of domestic mining projects, and to begin implementing an action plan to suspend, revise, or rescind each agency action identified as unduly burdensome. It also directs the Secretary to solicit industry feedback on regulatory bottlenecks and recommended strategies to expedite approval of mining projects on federal lands, and to begin implementing an action plan to implement industry feedback received. Further, H.R. 4090 requires the Secretary, in consultation with the Secretary of Agriculture, to submit a report to Congress that includes recommendations for changes in law necessary to review and rescind or revise unduly burdensome agency actions, and a nationwide review of state and local statutes, regulations, and ordinances the Secretary determines impede the development of domestic mining and mineral exploration projects.

The bill would additionally support Executive Order 14241, *Immediate Measures to Increase American Mineral Production*, by requiring the Secretary to submit to Congress a list of each mining project on federal land that has the potential to increase production of hardrock minerals or byproducts, expand operations to include hardrock mineral byproducts, or produce hardrock minerals from mine tailings. In addition, the Secretary would be directed to identify all land managed by the Department, or by the Department of Agriculture, which may be leased for the exploration, development, or production of hardrock minerals, or is open to location under the Mining Law of 1872, and where: 1) exploration is being conducted, 2) the Secretary determines hardrock minerals may be present, or 3) known economically recoverable hardrock minerals are present.

Finally, the bill directs the Secretary to prioritize efforts to accelerate the ongoing, detailed geologic mapping of the United States, with a focus on mapping previously unknown deposits of hardrock minerals. Within a year of enactment, the Secretary is required to submit a Report to Congress regarding the progress and estimated completion date of the comprehensive mapping and data integration effort directed by section 40201 of the Infrastructure Investment and Jobs Act (43 U.S.C. 311).

Analysis
On January 20, 2025, President Trump issued Executive Order 14154, Unleashing American Energy, to establish our position as the leading producer and processor of non-fuel minerals, including rare earth minerals, with the goal to create jobs and prosperity at home, strengthen supply chains for the United States and its allies, and reduce the global influence of malign and adversarial states. The Executive Order directed an immediate review of all agency actions that potentially burden the development of domestic energy resources and critical minerals, and to undertake efforts to expedite and simplify the permitting process.

On March 20, 2025, President Trump issued Executive Order 14241, Immediate Measures to Increase American Mineral Production, directing relevant agency heads to identify priority projects to Secretary Burgum, Chair of the National Energy Dominance Council, for expedited approval and, with feedback from industry, to identify regulatory bottlenecks and other recommended strategies for expediting domestic mineral production. The Executive Order also directed the Secretary to prioritize mineral production and mining related purposes as the primary land uses on Federal lands known to hold mineral deposits and reserves.

The efforts codified by H.R. 4090 support the responsible development of our natural resources, the creation of high paying jobs that support rural economies, and the strengthening American energy independence by reducing reliance on foreign energy sources and minerals. The Department appreciates the bill's recognition of the role the USGS has in supporting domestic minerals initiatives. The USGS is making progress on these activities through development of the annual Mineral Commodity Summaries (MCS), the current effort to produce an updated whole-of-government List of Critical Minerals, and the acceleration of mapping through the Earth Mapping Resources Initiative. The USGS is currently compiling and analyzing the data that will be used in the 2026 MCS. Depending on timing of this bill's passage, some components of this legislation may not be fully implemented until the 2027 MCS.

The Department supports H.R. 4090 and looks forward to working with the Subcommittee on further implementation of these Executive Orders to ensure the United States' position as a global leader in energy development, while ushering in an era of prosperity and security. As the Subcommittee considers the bill, the Department recommends that the Sponsor consider including a definition for "mining project" to clarify their intent to focus on hardrock mines, as the term is also used to refer to mineral materials projects.

H.R. 4018, Unleash America's Offshore Critical Minerals and Resources Act
H.R. 4018, the Unleash America's Offshore Critical Minerals and Resources Act, reinforces the President's energy priorities by providing a clear framework to support the offshore exploration and responsible development of critical minerals on the U.S. OCS. It recognizes that offshore mineral resources are essential to the nation's economic security, energy independence and supply chain resilience.

To support responsible development, H.R. 4018 directs agencies like BOEM, NOAA, and USGS to conduct seabed mapping and geological assessments to accelerate data collection and

American dominance. Further the bill requires the Department to establish an expedited process for reviewing and approving permits for prospecting and granting leases under OCSLA.

Analysis
In April 2025, President Trump issued Executive Order 14285, *Unleashing America's Offshore Critical Minerals and Resources*, marking a decisive step in the administration's broader push to secure the nation's mineral supply chains and assert U.S. leadership in seabed resource development. H.R. 4018 empowers the Department of the Interior, through BOEM, to issue expedited leases, licenses, and permits for the exploration and commercial recovery of critical minerals on the U.S. Outer Continental Shelf (OCS).

The Department supports H.R. 4018 and recognizes the value of enhanced coordination for mapping priority areas and streamlined permitting. I look forward to working with the Subcommittee on these important issues.

H.R. 1366, Mining Regulatory Clarity Act
H.R. 1366 would reaffirm the longstanding practice of allowing mining operators to store byproducts of mining operations on "mill sites" on federal lands and addresses the ruling in *Center for Biological Diversity v. U.S. Fish and Wildlife Service*, 33 F.4th 1202 (9th Cir. 2022), commonly known as the *Rosemont* decision. The bill clarifies that a mining operator may locate as many mill sites as are reasonably necessary for its operations and that such mill sites may be used for operations incidental to mineral development including disposal of mining byproducts such as waste rock or tailings. The bill also establishes a new Abandoned Hardrock Mine Fund for mine reclamation.

Analysis
The Department appreciates the Sponsor's recognition that domestic mining operations have been burdened by excessive red tape for too long and believes H.R. 1366 aligns with the direction provided in Executive Order 14241, *Immediate Measures to Increase American Mineral Production* that the United States take immediate action to facilitate domestic mineral production to the maximum possible extent.

The Department would like to work with the Sponsor to adjust the language of the bill to align with the Department's existing regulations, which currently allow an operator to locate as much mill site acreage as is reasonably necessary for its operations. The Department also recommends minor technical edits to aid in the bill's implementation, including clarification as to whether only mill sites, as defined in the bill are ineligible for patenting, or whether the intent is that mill sites associated with lode and placer claims as described in 30 USC 42(a) and (b) would also be ineligible for patenting. The Department would like to work with the Sponsor on the language regarding the proposed Abandoned Hardrock Mine Fund to ensure the proposal is consistent with Administration policies, and the Department maintains the flexibility needed to manage programs funded through the use of claim maintenance fees.

Conclusion

As the Department carries out its mission, we remain committed to meeting the high standards of this Administration and Congress. Expanding critical mineral exploration is foundational to building resilient domestic supply chains, creating skilled American jobs and strengthening the nation’s energy and industrial security.

Thank you for the opportunity to testify and I’m happy to answer any questions the Subcommittee might have.