

Statement of Casey Hammond, Principal, Capitol Pillar LLC, before the House Energy and
Commerce Committee, Subcommittee on Oversight and Investigations

Examining Ways to Enhance Our Domestic Critical Mineral Supply Chains

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Mr. Chairman and members of the Committee, thank you for the opportunity to testify on the importance of ensuring that the United States has a reliable supply of critical minerals. My name is Casey Hammond, and I am a former longtime committee staffer from the House Committee on Natural Resources. During President Trump's first term, I worked at the Department of the Interior, ultimately serving as the acting Assistant Secretary for Lands and Minerals. In that role, I oversaw several bureaus, including the Bureau of Land Management, which is responsible for the management of our public lands, including mining and mineral development. Since leaving the administration, I am helping others navigate the federal permitting process, including by working with Congress and the agencies.

I appreciate the Committee addressing the significant uncertainties with respect to our critical minerals supply. To illustrate the extent of our mineral dependence, I recommend you review the annual mineral commodities report published by the United States Geological Survey (USGS). By comparing reports year-over-year, you will clearly see that our situation has grown worse. The 1996 report¹ showed that we were 100% reliant on imports for eight (8) minerals and over 50% dependent on imports for sixteen (16). But the 2025 report² explains that, of the 50 critical minerals on the 2022 list, we are 100% dependent on imports for twelve (12) of these minerals and more than 50% dependent on imports for another twenty-eight (28). That is a 50% increase

¹ U.S. Geological Survey, 1996, Mineral commodity summaries 1996 (January 1996): U.S. Geological Survey, 194 p., <https://www.usgs.gov/centers/national-minerals-information-center/mineral-commodity-summaries>.

² U.S. Geological Survey, 2025, Mineral commodity summaries 2025 (ver. 1.2, March 2025): U.S. Geological Survey, 212 p., <https://doi.org/10.3133/mcs2025>.

in the number of minerals for which we are 100% reliant, and a 75% increase in the number of minerals for which we are 50% reliant. It is worth noting that China alone is now listed as the world's leading producer of thirty (30) critical minerals.

Because it is not an issue that is immediately in front of Americans on a day-to-day basis, the nature of our mineral dependence is not top of mind. When he was my boss, former Interior Secretary Ryan Zinke developed a graphic to demonstrate a few reasons why fixing this must be a priority. The attachment to my testimony demonstrates the different pieces of equipment carried by a Navy SEAL, the different minerals needed for the equipment, and, more importantly, how dependent we are on foreign sources, notably China, for those minerals. The graphic highlights that we are 50% or more dependent on foreign sources for at least twenty-three (23) minerals carried by a Navy SEAL. Now imagine how this graphic might look for jets, missiles, satellites, and even simple rounds of ammunition.

Working for Congress, inside the executive branch, and in the private sector has given me a unique appreciation for the multiple perspectives and blind spots for this issue. And those perspectives and blind spots are also at play in the federal minerals permitting process.

As a House staffer, I had hoped the federal permitting process was administered by impartial civil servants—diligently and fairly applying the rules, immune to political pressure from Washington. However, upon arriving at the Department of the Interior, I encountered a very different reality. Meaningful decisions rarely occur without the direct involvement of political appointees. Projects lacking favor can languish indefinitely, with senior officials facing little to no accountability for inaction. Multiple bureaucratic layers buffer decision-makers from urgency or momentum that may be building outside the agency. And if a project is not favored, it can

with a senior official feeling almost no pressure to address it. There are layers and layers of people that keep the ultimate decision-makers insulated from any urgency or accountability.

I recall being very frustrated early in my time at Interior to find out, after the fact, that a project had frantic proponents waiting for our review, but those who knew of the project and its urgency withheld such information from those of us who might act. Further, applicants are discouraged from going over the head of field-level officials; field-level officials will not call DC directly, and if someone does, any pleas for help can be filtered out before reaching a solitary office where a critical project gathers dust.

Fortunately, I served under capable and disciplined secretaries who installed strict time limits that they personally tracked. That meant that such hide-the-ball game-playing was virtually eliminated.

Unfortunately, this discipline is most often not the case. About a year ago, I became aware of a critical mineral project that had been waiting three years for an Environmental Assessment (EA) to conduct research and exploration. For context, when I was at Interior, our internal rule mandated that we must complete an EA in 90 days. Keep in mind that exploration is simply an early investigation to assess the viability of a potential project; it typically involves a drill on the back of a truck, taking samples with minimal intrusion to the environment. The project proponent waited three years for a permit to simply conduct due diligence on a *potential* mine. How do you convince a company to invest hundreds of millions of dollars to develop a mine when it takes three years for permission to drill small holes from the back of a pickup truck?

I bring this to your attention because for us to address our critical mineral supply challenges, we must instill confidence in the mining community. Project proponents should be assured that if

they follow the laws this Congress has established, comply with regulations, and file complete and accurate application materials, they will be fairly considered and will receive an unbiased and timely decision – one way or another.

The Environmental Protection Agency (EPA), with its expertise in water and air analysis, is a cooperating agency when it comes to permitting mines. However, if a solitary EPA analyst decides to interject themselves into a project *after* the National Environmental Policy Act (NEPA) environmental review comment period, they can pollute the administrative record and deter project proponents from moving forward.

Similarly, this could apply to, for example, the Fish and Wildlife Service consulting under the Endangered Species Act (ESA), actions by state historic preservation officers, and many other situations putting projects at risk by unilateral actions of those with an agenda and without accountability. Congress must direct that all requisite agency reviews are done in parallel, with regulators identifying and being held to clear, specific requirements in the pre-NEPA phase.

Establishing confidence in the process will involve work from all three branches of government, the states, and from field-level project managers right up to the President's Cabinet. Through his early executive orders and other actions, which I reference below, President Trump recognizes this as a priority. I believe that this "whole government" approach is necessary not only to permit existing projects, but to encourage the mining community and investors that the United States of America is serious about being in the mining business in the future.

Addressing minerals dependence also involves the judiciary. A new mine can be fully operational, employing hundreds of people in a rural community, at wages at least double the local average, but then a district court judge rules that the decision to approve the mine was

arbitrary and capricious, shutting down the mine for months or years. The appropriate role and scope of judicial review of project approvals must be addressed by Congress as part of your efforts to build our mineral independence.

In addition to facilitating minerals exploration and extraction, to diminish our dependence on foreign minerals we must also address domestic minerals processing. Consider copper, for example. Currently, there are three major smelters in the U.S.; they aren't always operating, and when they are, they are generally there to process the material of the owner's associated mine. That means, incredibly, if you opened a copper mine tomorrow, it is likely that you would plan to send your product to China for processing because that is what is available and it is also less expensive than doing it here, domestically. In that case, it doesn't matter how quickly you permit a mine; you are still sending the mineral to a potential adversary.

Making matters worse, just last year, the Biden administration's EPA finalized rules that would raise the cost of smelting and increase barriers to new smelting capacity. Thankfully, in March of this year, Administrator Zeldin ordered a reconsideration of that rule, among many others, as directed by the President.

Near the end of the first Trump administration, we actively searched for ways to secure our domestic uranium supply. I contacted uranium mining companies to investigate their barriers to production. I was disgusted to hear that one company decided to literally skip mining opportunities on federal land altogether, even if they were adjacent to an existing project on state or private land. They explained that in one case, they had been delayed for years by federal demands for ever-expanding and duplicative archeological surveys. When all was said and done, after years of delays and hundreds of thousands of dollars in additional surveys, not a single archaeological resource was found, much to the surprise of nobody who was familiar with the

site. But the company learned a lesson: do not go into business with the federal government. The lesson for us: peppering applicants with ever-evolving, baseless demands – each of which have significant cost to the applicant – must be curtailed. If we are to have any hope of encouraging the American mining industry to help us mitigate our foreign minerals dependence, federal agencies must be clear and precise with the data and baselines they require.

It is important to remember that a reasonable process does not mean you have a predetermined outcome. Sometimes, the answer is no – and rightly so. However, the government owes it to applicants to be fair and efficient, to lay out clear expectations, and ultimately to deliver a legally defensible final decision.

I am encouraged by the swift actions taken by President Trump and his administration thus far. He issued no less than six (6) executive orders directly addressing the production or processing of critical and other important minerals.³ On Day 1, he declared a national emergency highlighting inadequate supplies of critical minerals and starting the process of reform by refocusing federal assets, both on and offshore. He freed up resources and prioritized work under the Defense Production Act, the International Development Finance Corporation, and the Export-Import Bank.

Secretary of the Interior Burgum responded to the President's directives and demonstrated forward thinking by developing alternative procedures for his responsibilities under NEPA, ESA and the National Historic Preservation Act. He blazed a new path to decrease review times for

³ Unleashing American Energy, January 20, 2025; Establishing the National Energy Dominance Council, February 14; Immediate Measures to Increase American Mineral Production, March 20; Protecting American Energy from State Overreach, April 8; Ensuring National Security and Economic Resilience Through Section 232 Actions on Processed Critical Minerals and Derivative Products, April 15; Unleashing America's Offshore Critical Minerals and Resources, April 24.

Environmental Assessments from an average of over a year down to 28 days. This is exactly the thinking and action that will move us forward toward mineral independence.

These are actions that are exciting the mining community and reinvigorating interest and willingness to invest in mining efforts domestically. I also spoke with career federal officials within the agencies that are now welcoming mining projects in their jurisdictions. They want this work. This attitude matters, and it makes a distinct impression on potential developers and investors.

Unfortunately, we know that these advances are not set in stone, and opinions on mining will continue to vary. Before I conclude, I want to offer a few suggestions for the Congress that would allow us to seize this moment and positively address the development of critical minerals:

1. Narrow the scope of NEPA reviews. Currently, the number of alternatives developed beyond a proposed action is subjective, as is the footprint of the review area. Any of these decisions are litigation risks. The narrower the scope of the review, the more efficient it will be, and there is less material to be litigated after the Record of Decision.

2. Lay out clear, certain requirements for project applicants. Tell them the data that will be needed to reach a decision. No more, no less.

3. Encourage investment through a motivated, responsive, and efficient Loan Program Office at the Department of Energy. Seeing the commitment of the federal government will signal that the United States is ready to embrace the modern mining industry.

4. Create a mobile and responsive agency workforce. The fact that a regional office loses a hydrologist or other subject matter expert should not delay a project until a permanent replacement is found. Establish a bullpen of experts dispatchable throughout the country.

5. Create an environment of accountability. While I fully support page limits and time limits for environmental reviews, those are only as good as the officials enforcing them. As a Committee, make it clear to your agencies that you expect senior leaders to hold themselves and their subordinates accountable.

President Trump laid down a marker on critical minerals. This administration moved aggressively to address past shortcomings and failures to the way we develop and process these essential mineral assets. We have an opportunity to fundamentally change the way we engage with the mining industry, to reduce our reliance on foreign minerals production, to increase exploration and domestic production and, ultimately, to generate domestic prosperity. Thank you, Mr. Chairman; this concludes my statement, and I am happy to respond to any questions you may have.