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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
WASHINGTON, DC 20510-6150

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May 16, 2022

Dear Secretary Haaland:

As authors of the Energy Act of 2020, we write to express our concern regarding the implementation of overdue critical mineral provisions of that law. We request that you provide us with an immediate update on when we can expect compliance with these provisions and urge you to prioritize critical mineral efforts within your Department.

Congress acted to provide substantial new authorities and federal assistance to boost domestic mineral supplies through the Energy Act of 2020, as well as the Infrastructure Investment and Jobs Act. Due to the severity of the challenge, and the need for a robust and rapid Federal effort, many of these mineral provisions contained deadlines. Unfortunately, your agency has not met those deadlines.

Within the Department of the Interior we have not received several items that were due no later than December 27, 2021. Specifically, we still await your report detailing the actions, required by the Energy Act (Section 7002(m), 30 USC 1604), you have taken to:

1. Improve the capacity of the United States Geological Survey (USGS) to assess international minerals supplies;
2. Increase the level of mining and metallurgical research by the USGS in critical and strategic minerals; and
3. Improve the availability and analysis of mineral data in Federal land use decision making

Additionally, we have not received the USGS's interim report on the status of the national critical mineral assessment required under section 7002(d)(5)(b) of the Energy Act of 2020.

We remain committed to maintaining and strengthening our nation's leadership and rebuilding our productive capacity in key sectors and value-chains. To do so, the Department of the Interior must prioritize these initiatives and ensure crucial deadlines are met. Without this effort we will remain vulnerable due to our lack of domestic production and processing of critical minerals, including rare earth elements.

While we appreciate the President's focus on this issue, including the recent invocation of the Defense Production Act, a whole-of-government approach is required to meet this challenge. Timely implementation of the provisions of the Energy Act are crucial to ensuring that America's critical mineral supply chains are strong, responsibly produced, and ethically sourced.

We look forward to timely response and your cooperation in this matter.

Sincerely,



Lisa Murkowski
United States Senator



Joe Manchin, III
Chairman
United States Senate Committee on
Energy and Natural Resources