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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 Director Haines:

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 we urge you to prioritize critical mineral efforts within the Office of the Director of National Intelligence.

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 office has not met those deadlines.

We are still awaiting your report on mineral investment through the People's Republic of China's Belt and Road Initiative, as well as the mineral list and critical mineral evaluation required under section 7003(a) of the Act. This information is crucial to informing Congress's effort to reduce our reliance on nations that do not share our values.

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, your office 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