

United States Senate
WASHINGTON, DC 20510-0309

February 2, 2023

The Honorable Deb Haaland
Secretary of the Interior
1849 C Street NW
Washington, DC 20240

Dear Madam Secretary:

On behalf of the undersigned bipartisan group of Senators, we write to urge you to revisit and consider the designation of copper as a critical mineral in accordance with the Mineral Security provisions of the Energy Act of 2020¹. While we believe that copper has always been key to our national security, water infrastructure, and electrical and clean energy infrastructure, you found that copper did not meet the United States Geological Survey's requirements for designation as a critical mineral. However, recent economic and geopolitical events, such as the war in Ukraine, present a significant increase in the supply risk.

Looking ahead to the near future, according to a recent S&P Global report², "the chronic gap between worldwide copper supply and demand projected to begin in the middle of this decade will have serious consequences across the global economy and will affect the timing of Net-Zero Emissions by 2050". With regard to global stability and national security the report found that "copper scarcity may emerge as a key destabilizing threat to international security" and "projected annual shortfalls will place unprecedented strain on supply chains". The global situation has changed since the draft list was prepared in 2021, and we now have better data on future supply and demand projections – all of which has made reconsideration of copper for inclusion on the critical mineral list a necessity.

With the United States Geological Survey's release of the draft 2021 list, a new quantitative methodology was created to calculate a supply risk score that closely examines the economic vulnerability, disruption potential, and trade exposure of various minerals. Unfortunately, as noted in the methodology³, when USGS calculated the score the selected data set was only updated through 2018. Since 2018, the risks of disruption to global copper supplies, particularly from adversarial countries like China and Russia, have only increased. In addition, the share of copper consumption that is met by net imports has increased from 33% in 2018 to 44% in 2021 and 41% in 2022. According to trade data from USGS⁴, in the first half of 2022, the net import reliance stood at 48%. In 2021 Russia, China, Iran and North Korea now account for half of all non-U.S. global refined copper production.

Recently, a third party hired an analyst to calculate an updated copper supply risk score with the most recently available data through the first half of 2022.⁵ With the new data, copper's supply risk score

¹ Section 7002, [Public Law 116-260](#)

² The Future of Copper: Will the Looming supply gap short-circuit the energy transition, S&P Global

³ Nassar, N.T., and Fortier, S.M., 2021, Methodology and technical input for the 2021 review and revision of the U.S. Critical Minerals List: U.S. Geological Survey Open-File Report 2021-1045, 31 p., <https://doi.org/10.3133/ofr20211045>.

⁴ <https://www.usgs.gov/centers/national-minerals-information-center/mineral-industry-surveys>

⁵ Copper Development Association,

https://copper.org/copperiscritical.org/report/CDA_Copper_Critical_Mineral_full_report.pdf

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in 2022 is up to 0.423 and the 4-year weighted average score is now up to 0.407 – both above the USGS 0.40 threshold for automatic inclusion on the list. We have attached the study and calculations to this letter.

Given the significant change in the supply risk to copper, the other critical minerals produced as byproducts, and the growing importance of copper to our economic and national security, we urge you to exercise the authority given to you by statute to revisit your determination and reconsider the addition of copper to the critical minerals list, without waiting the maximum of 3 years allowed by law between revisions of the list. Earlier this year, USGS made this commitment, writing that “if the criticality status of a mineral commodity were to change significantly in the near term, the USGS would publish information on the changed circumstances without waiting for a 3-year update cycle.”⁶ Clearly, a dramatic rise in the supply risk score is such an incident that requires attention.

In fact, with regard to helium, this week the USGS announced⁷ just such a review to determine if there is an increased risk of supply disruption. The same should be done for copper.

If copper is found to meet the criteria, and we believe it will, designation will significantly benefit and protect the United States as we continue to substantially invest in a variety of copper intensive applications. By recognizing copper as a “critical mineral,” the United States’ federal government can more effectively ensure a secure and reliable supply of domestic copper resources in the years to come at all points of the supply chain including recycling, mining, and processing. Given the enormous investment required, the time lag for new sources of supply, and projected demand, time is of the essence.

Due to copper’s major role in economic development, national security, and infrastructure, we strongly reiterate our recommendation that you direct the USGS to reopen its’ review of copper for inclusion in the USGS list of “critical minerals” and reconsider the listing using the latest quantitative data and qualitative information.

Sincerely,



Kyrsten Sinema
United States Senator



Mark Kelly
United States Senator



Joe Manchin
United States Senator



Mike Braun
United States Senator

⁶ Letter from USGS Associate Director for Energy and Mineral Resources to Utah Governor Spencer Cox, June 23, 2022.

⁷ Request for Comments on Helium Supply Risk, [Federal Register Doc. 2023-01852](#), published January 30, 2023

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Raphael Warnock
United States Senator



Mitt Romney
United States Senator

cc:

Tanya Trujillo, Assistant Secretary of Interior for Water and Science
David Applegate, Director of the United States Geological Survey