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March 19, 2026

Ambassador Jamieson Greer
The Office of the U.S. Trade Representative
600 17th St. NW
Washington, DC 20508

Re: Request for Comments on the Design of a Plurilateral Agreement on Trade in Critical Minerals and Policy Actions To Strengthen the Resilience of Critical Mineral Supply Chains (Docket USTR-2026-0034)

Dear Ambassador Greer:

The Consumer Technology Association (CTA) appreciates the opportunity to provide comments regarding the design of a plurilateral agreement on trade in critical minerals and policies to strengthen supply chains.[1] CTA strongly supports efforts by the United States and its partners to ensure reliable, diversified, and market-based supply chains for critical minerals that underpin modern technologies and economic growth.

CTA represents the more than $537 billion U.S. consumer technology industry, which supports more than 18 million U.S. jobs. Our members include over 1200 companies from every facet of the consumer technology industry, including manufacturers, distributors, developers, retailers, and integrators, with 80% of CTA members being start-ups or small and mid-sized companies. CTA also owns and produces CES®, which showcases technology innovation and serves as a premier forum for technology policy discussions, including trade and investment. Over 148,000 people attended CES 2026, including more than 55,000 from outside the United States.

The consumer technology industry depends on reliable access to critical minerals to design, manufacture, and distribute the products that power the modern economy. Critical minerals function as the essential inputs that sustain the technology ecosystem. Smartphones, laptops, televisions, video game consoles, connected devices, and many other technologies all use critical minerals such as lithium, cobalt, and rare earth elements, including neodymium used in permanent magnets.

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[1] *Request for Comments on the Design of a Plurilateral Agreement on Trade in Critical Minerals and Policy Actions To* Strengthen the Resilience of Critical Mineral Supply Chains, 91 FR 9686, (February 26, 2026), https://www.federalregister.gov/documents/2026/02/26/2026-03868/request-for-comments-on-the-design-of-a-plurilateral-agreement-on-trade-in-critical-minerals-and

The United States should design a plurilateral framework that strengthens supply chains while preserving open trade and cooperation with allies. The United States cannot realistically reshore the entire critical minerals supply chain relevant to the consumer technology sector. Instead, the U.S. should deepen collaboration with allies and aligned trading partners to diversify supply chains and reduce reliance on non-market actors.

Thus, we encourage the United States to pursue a plurilateral framework built on open trade among participants, strong cooperation with allies, and market-based supply chain development. Tariffs on critical minerals, processed and active materials, and downstream technology products would undermine these goals and should be avoided

I. Reliable Access to Critical Minerals Is Essential to the Consumer Technology Industry

Critical minerals are foundational inputs for the technologies that power modern economic activity and support a broad range of consumer technology products and components. Lithium and cobalt are essential components of batteries used in devices such as smartphones, laptops, tablets, and other energy storage applications. Rare earth elements used in permanent magnets – such as neodymium, praseodymium, dysprosium, and terbium – enable high-performance electronics, electric motors, and other advanced technologies that require powerful and efficient magnetic materials. Other rare earth elements – including yttrium, erbium, ytterbium, and samarium – are used in components such as lasers, sensors, and phosphors for displays and lighting, as well as specialized electronic and optical applications.

These minerals underpin technologies ranging from televisions and microelectronics to batteries and connected devices used in homes and workplaces across the U.S. The U.S. consumer technology sector and the broader U.S. economy require reliable access to these inputs.

Supply chains for these materials are global in nature and involve multiple stages of extraction, processing, refining, and manufacturing across different countries. As U.S. government analyses have repeatedly recognized, the U.S. remains highly dependent on imports for many of these materials. According to the USGS *Mineral Commodity Summaries 2025*,[2] U.S. import dependence for critical minerals continues to increase. The U.S. is now 100% net import reliant for 16 minerals – up from 15 the prior year – and relies on imports for more than half of its apparent consumption for 54 nonfuel mineral commodities, up from 46 in 2024. Of the minerals on the Final 2025 Critical Minerals List, the U.S. is 100% import reliant for 13 commodities, with an additional 20 critical minerals exceeding 50% import reliance. Import reliance alone does not create risk. However, reliance on a single non-market economy as the top supplier for eight commodities and a major supplier for six others raises real concerns about supply resilience.

These realities underscore the importance of strengthening supply chains through diversification and cooperation with trusted partners. While expanding domestic extraction and

[2] USGS, *Mineral Commodity Summaries 2026,* (March 2026), https://pubs.usgs.gov/periodicals/mcs2026/mcs2026.pdf

processing capacity is an important long-term objective, reliable access to imports – particularly from U.S. allies and aligned trading partners – is essential for sustaining U.S. manufacturing and technological innovation.

II. Collaboration with Allies Is the Most Effective Way to Strengthen Supply Chains

The most effective way to reduce dependence on non-market actors and strengthen supply chains for critical minerals is through close collaboration with U.S. allies and aligned trading partners.

Countries such as Australia, Canada, Chile, members of the European Union, Indonesia, Japan, the Republic of Korea, Mexico, Saudi Arabia, and Peru play critical roles in the global critical minerals ecosystem, along with others listed in Annex Section A, Question 4. These countries possess expertise in extraction, refining, processing, and advanced manufacturing that complements U.S. capabilities. Strengthening cooperation with these partners will accelerate supply chain diversification and reduce reliance on countries that use non-market practices.

A plurilateral agreement on critical minerals will reinforce and expand existing cooperation initiatives among trusted partners. By pooling capabilities and coordinating investment, participating countries can increase global supply, enhance resilience, and create a more competitive alternative to supply chains dominated by non-market actors. Many of these partners also maintain strong chemical industrial bases that provide the skilled workforce, technical expertise, and chemical inputs needed to support critical mineral refining and processing.

The agreement should also keep trade efficient among participants and avoid unnecessary trade barriers that weaken supply chain integration. The 2026 Critical Minerals Ministerial,[3] hosted by the United States and attended by representatives from 54 countries and the European Commission, exemplifies the breadth of partners already engaged in advancing more secure and diversified critical minerals supply chains. The U.S. should build on this effort by working with these countries to coordinate investment, policy, and supply chain development through a plurilateral agreement.

III. Tariffs on Critical Minerals and Derivative Products Should Be Avoided

In designing a plurilateral framework for critical minerals trade, the United States should avoid imposing tariffs on critical minerals, processed materials, or derivative products.

Tariffs on these inputs would raise production costs for downstream manufacturers, reduce the competitiveness of U.S.-based production, and increase costs for American consumers.

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[3] U.S. State Department, 2026 Critical Minerals Ministerial, https://www.state.gov/releases/office-of-the-spokesperson/2026/02/2026-critical-minerals-ministerial/

Because critical minerals are widely used across consumer technologies and other advanced products, tariffs on these inputs can hurt the economy and disrupt multiple industries. CTA has highlighted these risks in its comments to the Department of Commerce's 2025 Section 232 investigation on processed critical minerals and derivative products,[4] which explained how tariffs on critical minerals and their derivatives would raise production costs, disrupt supply chains, and undermine U.S. competitiveness.

Tariffs would be particularly harmful if applied to derivative products that contain critical minerals, including consumer technology devices. These products are assembled through complex international supply chains that rely on inputs from multiple countries, making administration of a tariff exceedingly burdensome, if not impossible. Tariffs on derivative products would therefore undermine the very supply chains the agreement seeks to strengthen, while making exports of U.S.-manufactured goods less competitive.

A better approach is to eliminate tariffs among participating countries while maintaining appropriate trade disciplines around the group. Under this model, participating countries would maintain open trade among themselves while adopting strong rules of origin to prevent non-participants from gaining indirect benefits from the agreement.

Strong rules of origin would ensure that the benefits of tariff-free trade accrue to participating countries while preventing third-party free-riding. This structure would strengthen incentives for companies to source from trusted partners and invest in supply chains within the group.

IV. Recycling and the Circular Economy Should Be a Core Element of Supply Chain Strategy

In addition to expanding mining and processing capacity, the U.S. and its partners should expand recycling and resource recovery to strengthen critical minerals supply chains.

Used electronics and batteries contain valuable materials that can be recovered and reintroduced into the production process. Recovering critical minerals from end-of-life products reduces the need for new mining and processing, reduces waste, and enhances supply chain resilience by making use of materials already embedded in the economy.

Today, however, resource recovery does not occur at the scale that it could. Regulatory barriers – particularly those governing the cross-border movement of used electronics and recovered materials – often slow efficient recovery and reuse. The U.S. should support modern recycling infrastructure that can recover critical minerals at scale and return those materials to supply chains.

Recent research also suggests that the expansion of generative AI infrastructure could create significant new streams of recyclable electronic equipment. Estimates indicate that the rapid growth of servers used to train and operate large language models could generate 1.2–5.0 million metric tons of additional e-waste globally between 2020 and 2030 as computing

[4] https://www.cta.tech/media/vz5nwamo/final-cta-comments-on-bis-section-232-critical-minerals-investigation-20250516.pdf

capacity expands.[5] Because these AI servers contain components such as GPUs, CPUs, memory units, and communication modules that rely on valuable metals and other materials, the growth of AI data centers may increase the volume of end-of-life equipment available for recovery and recycling.

The U.S. and its partners should thus work together to create an enabling environment for the recycling of used electronics and other products containing critical minerals. This environment should include the development of recycling infrastructure and workforce capacity in the U.S. and allied countries, as well as cooperation on responsible collection and advanced, state-of-the-art recovery systems capable of scaling.

Participating countries should also explore mechanisms that facilitate the safe and lawful movement of recyclable materials among trusted partners. For example, governments could establish "resource recovery lanes" that allow certified companies to move used electronics and recovered materials across borders under common environmental standards.

The U.S. should also consider ratifying the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. Ratification will provide the U.S. with a seat at the table in global discussions[6] governing the movement of recyclable materials and will enable the U.S. to work with allies to modernize international rules governing these flows. If ratified, the U.S. should advocate within the Basel framework for regulatory approaches that clearly distinguish between waste disposal and preparation for recycling, ensuring that international rules facilitate – rather than impede – the cross-border movement of recoverable materials among trusted partners with demonstrated processing capacity.

Although recycled minerals alone cannot meet total global demand, they can provide a vital accretive source of supply and a buffer against disruptions in primary supply chains.

V. The Agreement Should Establish Strong Institutional Frameworks

A successful plurilateral agreement on critical minerals should include strong institutional mechanisms to support cooperation among participating countries.

These mechanisms could include committees or working groups responsible for monitoring supply chain developments, coordinating policy responses to disruptions, and promoting cooperation in areas such as recycling, investment, and technology development. Dedicated inquiry points within participating governments would further improve transparency and communication between governments and the private sector.

Participating countries should also commit to intelligence sharing and enforcement cooperation to address supply chain disruptions and respond to non-market practices that undermine fair competition.

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[5] Nature Computational Science, *E-waste challenges of generative artificial intelligence,* (February 22, 2026), https://doi.org/10.1038/s43588-024-00712-6

[6] Basel Convention on Hazardous Wastes, U.S. Dept. of State, https://www.state.gov/key-topics-office-of-environmental-quality-and-transboundary-issues/basel-convention-on-hazardous-wastes/.

VI. High-Standard Labor and Environmental Commitments Can Support Responsible Supply Chains

Strong labor protections and high environmental standards should guide the expansion of critical minerals supply chains. High-standard commitments among participating countries can help ensure that new mining and processing activities occur in a responsible manner while protecting workers and local communities.

Strong standards can also create a “race to the top” in which participating countries develop best practices in environmental protection, workforce development, and responsible resource management. Over time, such cooperation can improve efficiency, reduce environmental harm, and lower costs through innovation and technological improvements.

VII. Market-Based Policies Should Guide Supply Chain Development

Efforts to strengthen critical minerals supply chains should rely primarily on market-based mechanisms that encourage private-sector investment and innovation. Private investment has historically driven global supply chain development, and private capital should also drive diversification of critical mineral supply.

The agreement should therefore prioritize policies that enable investment, reduce trade barriers, and improve regulatory coordination among participating countries. Governments should avoid policies that distort markets, create unnecessary inefficiencies, or lead to future busts in commodity business cycles.

VIII. Investment Cooperation and Trusted Supplier Frameworks

Investment provisions should also form part of a plurilateral framework on critical minerals. Participating countries should cooperate to ensure that investment flows support the development of resilient supply chains and do not inadvertently reinforce dependence on non-market actors.

At the same time, the agreement should recognize that some reliable suppliers may operate in jurisdictions that are not formal participants in the agreement but nevertheless adhere to market-based practices. Participating countries should thus explore the concept of “trusted suppliers” and develop criteria that recognize suppliers that operate according to transparent, market-based standards.

Investment disciplines should also provide flexibility for existing investments while ensuring that future investments support the diversification and resilience of supply chains.

IX. Strategic Stockpiles and Crisis Response Cooperation

Participating countries should also consider mechanisms to address supply disruptions through coordinated stockpiling and emergency response systems. Where appropriately designed, strategic reserves of critical minerals could potentially help mitigate short-term disruptions while supply chains adjust to changing conditions.

Several foreign governments have launched initiatives to secure critical minerals and diversify supply.[7] Australia has announced an $800 million strategic critical minerals reserve focused on materials such as antimony, gallium, and rare earth elements, while the European Union is advancing plans for a joint stockpile of critical raw materials under its RESourceEU strategy, with leadership anticipated from Italy, France, and Germany.

In Asia, South Korea has rolled out a national strategy backed by roughly $172 million to expand mineral stockpiles and related infrastructure, and India recently agreed with Brazil to deepen cooperation on critical minerals and rare earths to diversify supply and strengthen clean-energy and technology supply chains.

The U.S. has also begun advancing domestic tools that could support broader international coordination. In February 2026, the Export-Import Bank announced Project Vault,[8] a $10 billion initiative to establish the U.S. Strategic Critical Minerals Reserve, supported by additional private-sector investment. A plurilateral critical minerals agreement could complement this effort by creating mechanisms for coordination among participating countries, including information-sharing on stockpile levels, consultation during supply disruptions, and alignment of reserve strategies.

Cooperation among participating countries on stockpiling and crisis response would further strengthen the resilience of global supply chains.

X. Conclusion

The U.S. needs access to critical minerals to maintain U.S. technological leadership and economic competitiveness. Because critical minerals supply chains are global, the U.S. cannot secure these supply chains alone.

A plurilateral agreement on critical minerals should thus prioritize cooperation with allies and aligned trading partners, diversify supply chains, and maintain open trade among participants.

In particular, the agreement should avoid imposing tariffs on critical minerals, processed materials, or derivative products. Tariffs would raise costs, disrupt supply chains, and undermine the very objectives the agreement seeks to achieve.

CTA appreciates the opportunity to provide these comments and looks forward to continued engagement with USTR as it develops this initiative.

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[7] CNBC, *Governments are rushing to hoard critical minerals as the 'resource nationalism' era arrives,* (February 24, 2026), https://www.cnbc.com/2026/02/25/critical-minerals-stockpile-race-us-eu-china-resource-nationalism.html?msockid=2a5d0e561dec6c96280c18561cfe6de5

[8] Export-Import Bank of the United States, *Week in Review: Project Vault and the U.S. Strategic Critical Mineral Reserve,* (February 6, 2026), https://www.exim.gov/news/week-review-project-vault-and-strategic-critical-mineral-reserve

Sincerely,

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Annex

A. Prioritization of Critical Minerals and Trading Partners for Agreement Scope

CTA Response:

The U.S. government should prioritize critical minerals based on supply risk, economic importance, and supply chain concentration. A plurilateral agreement should focus on cross-cutting minerals that serve as foundational inputs across multiple strategic industries, including semiconductors, consumer technology, automotive manufacturing, defense systems, energy storage, batteries, telecommunications infrastructure, and advanced manufacturing. Because disruptions in a single mineral can affect many sectors simultaneously, prioritization should emphasize minerals that play systemically important roles across multiple industries.

1. What factors should be considered in prioritizing certain critical minerals, as defined by the U.S. Geological Survey, to be included within the scope of a plurilateral agreement? In particular, how should each critical mineral be evaluated for the U.S. government's prioritization and scoping decisions?

CTA Response:

The U.S. government should prioritize critical minerals for inclusion in a plurilateral agreement using a framework that considers both supply risk and economic importance. In particular, scoping decisions should account for the degree of supply chain concentration associated with each mineral, including whether mining, refining, or processing capacity is heavily concentrated in a single country or small number of countries. Minerals that depend on highly concentrated supply chains present greater vulnerability to disruption and should therefore be prioritized.

In addition, the government should evaluate current and projected supply relative to expected demand growth. Minerals for which global production capacity is limited, supply buffers are small, or development timelines for new projects are long may present higher risks of supply shortfalls and should receive greater attention in prioritization decisions.

The criticality of end use should also play a central role in evaluating minerals for inclusion in the agreement. Minerals that serve as essential inputs for sectors such as semiconductors, advanced electronics, communications infrastructure, defense systems, and energy technologies are particularly important because supply disruptions could have cascading effects across multiple strategic industries. In assessing criticality, policymakers should also consider the availability of substitutes, as minerals with limited or no viable alternatives create greater vulnerability for downstream manufacturers.

Finally, prioritization should take into account the potential for supply diversification among trusted partners. Minerals for which allied countries possess the geological resources, industrial capacity, or recycling infrastructure needed to expand production or processing may present the most practical opportunities for strengthening supply chain resilience through a plurilateral agreement.

For the consumer technology sector, priority minerals include tungsten, indium, gallium, germanium, lanthanum, cerium, lithium, cobalt, nickel, graphite, and rare earth elements used in permanent magnets, including neodymium, praseodymium, dysprosium, and terbium, as well as other rare earth elements such as yttrium, erbium, ytterbium, and samarium that support advanced electronic and optical technologies. These materials play critical roles in semiconductor manufacturing equipment, optoelectronics, batteries, communications technologies, and other advanced electronic applications that underpin the U.S. technology ecosystem.

2. How can critical minerals be effectively grouped, (e.g., by common market dynamics or supply chain structures, common market participants, or geographical features) such that each group is amenable to similar sets of interventions to improve resilience? If so, what criteria should be used to group such critical minerals together (e.g., by common market dynamics or supply chain structures, common market participants, natural co-occurrence, or geographical features)?

CTA Response:

Critical minerals should first be assessed individually to identify the specific supply chain risks affecting each mineral. Once those risks are understood, minerals that share similar market characteristics or supply chain constraints can be grouped together so that governments can apply targeted policy responses.

One approach is to group minerals based on common market dynamics, such as markets characterized by high supply concentration, limited global production, or price distortions caused by excess capacity. Minerals facing similar market conditions may require similar mitigation strategies, including investment support or efforts to diversify production among trusted partners.

Minerals can also be grouped by supply chain structure or end-use sector. For example, minerals that are primarily used in semiconductors and advanced electronics, battery production, or permanent magnet supply chains may benefit from coordinated resilience strategies because they rely on similar suppliers, processing infrastructure, and downstream industries. Grouping minerals based on these shared characteristics can help governments design more efficient and targeted interventions to strengthen supply chain resilience.

4. Which trading partners should be considered for participation in a plurilateral agreement, and why?

CTA Response:

The United States should prioritize participation from a broad group of trusted partners that possess significant geological resources, established mining and processing capacity, or strategic importance to the development of diversified critical minerals supply chains. This includes countries in the Western Hemisphere, historically allied economies such as G7 and OECD members, and other partners that play important roles in the global critical minerals ecosystem.

Countries such as Australia, Canada, Chile, members of the European Union, Japan, Mexico, Morocco, the Republic of Korea, Saudi Arabia, and Turkey are important partners due to their advanced industrial capabilities, established mining sectors, and longstanding economic relationships with the United States. These countries are well positioned to expand mining, refining, processing, and downstream manufacturing capacity in ways that support diversified and resilient supply chains.

The agreement should also include resource-rich economies that possess significant geological reserves or emerging mining sectors. Countries such as Argentina, Brazil, the Democratic Republic of Congo, Gabon, Indonesia, Madagascar, Malaysia, Mozambique, New Caledonia, Oman, Peru, Tanzania, and Tunisia have important reserves of critical minerals and could play a key role in expanding global supply if supported through investment, trade cooperation, and responsible development practices.

Engagement with partners in Latin America and Africa is particularly important from both an economic and geopolitical perspective. Strengthening cooperation with these regions can help diversify supply chains, support responsible resource development, and ensure that the United States and its allies remain actively engaged in regions with significant critical mineral resources. This engagement is especially important in light of China's recent announcement of zero-tariff treatment for imports from 53 African countries with which it has diplomatic relations.[9] A plurilateral framework should therefore provide a credible pathway for market access, investment, and supply chain development that attracts participation from resource-rich partners while maintaining strong standards for responsible production.

5. What qualities should trading partners exhibit to be considered for inclusion in a plurilateral agreement in trade on critical minerals?

CTA Response:

Trading partners participating in a plurilateral critical minerals agreement should demonstrate a commitment to market-based trade, reliable supply chain cooperation, and responsible resource development. Countries included in the agreement should share common interests in strengthening supply chain resilience, diversifying global production and processing capacity, and reducing dependence on highly concentrated or non-market supply chains.

Partners should also maintain strong standards for responsible sourcing and governance in the mining, processing, and trade of critical minerals. This includes adherence to internationally recognized frameworks such as the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, including the OECD's due diligence guidance addressing environmental and human rights risks in mineral supply chains.

In addition, participating countries should support or align with established responsible minerals initiatives and certification frameworks, such as the OECD Responsible Minerals Implementation Programme and industry-led efforts like the Responsible Minerals Initiative.

[9] Reuters, *China to implement zero tariffs on imports from 53 African countries,* (February 14, 2026), https://www.reuters.com/world/asia-pacific/china-implement-zero-tariffs-imports-53-african-countries-2026-02-14/

These frameworks help ensure transparency, traceability, and responsible production practices across the supply chain.

Partners should demonstrate a willingness to cooperate on policies that promote secure, diversified, and transparent supply chains, including trade facilitation, investment cooperation, and regulatory alignment that supports responsible mining, refining, recycling, and downstream manufacturing among trusted economies.

Finally, countries that wish to participate in the plurilateral agreement but do not yet meet all of the requirements should benefit from interim status. Some countries may possess significant resources but lack the institutional capacity to meet agreed upon regulatory or standards-based requirements. The U.S. Government could develop a roadmap for such countries, admit them to the plurilateral agreement, and check progress regularly against the roadmap.

C. Price Adjustment Mechanisms for Critical Minerals

CTA Response:

A plurilateral agreement should promote transparent, market-based pricing for critical minerals.

Participating countries should commit to pricing that reflects the full cost of production, including:

- environmental compliance
- labor standards
- regulatory obligations
- Governments should also coordinate policies that prevent predatory or below-cost pricing that discourages investment in diversified supply chains.

When distortions occur, participating countries should coordinate enforcement actions similar to anti-dumping and countervailing duty tools used by the United States and the European Union.

The agreement should also promote policies that facilitate efficient trade among participating countries.

Governments should:

- pursue mutual recognition of regulatory frameworks
- avoid unnecessary taxes or trade barriers
- support stable pricing and integrated supply chains
- Reference prices should also reflect the cost structure of recycled supply. Recycling requires preprocessing and separation steps—including collection, demagnetization, and alloy separation—that increase costs relative to primary mining.

Additionally, participating countries should eliminate tariffs on capital equipment used for mining, refining, processing, and recycling critical minerals. Removing these tariffs would accelerate investment in new capacity among trusted partners.

D. Establishment of Common Standards To Address Regulatory Arbitrage

2. Are there any specific regulatory requirements or standards that a plurilateral agreement would need to address in order to stabilize markets for critical minerals?

CTA Response:

A plurilateral agreement should establish baseline regulatory standards that promote responsible sourcing and reduce the risk of regulatory arbitrage among participating countries. Governments should align these standards with internationally recognized frameworks such as the OECD Due Diligence Guidance for Responsible Mineral Supply Chains and the OECD Guidelines for Multinational Enterprises. These frameworks provide widely accepted guidance on addressing risks related to human rights, environmental protection, and responsible business conduct in mineral supply chains.

The agreement should also support industry-led certification and verification programs that promote transparency and accountability. Programs such as the Responsible Minerals Initiative and its Responsible Minerals Assurance Process (RMAP) provide established mechanisms for auditing supply chains and verifying responsible sourcing practices. Participating countries should encourage the use of these types of standards and require adherence to minimum labor and environmental protections consistent with OECD guidance to ensure that responsible producers can compete on a level playing field.

The Initiative for Responsible Mining Assurance (IRMA) Standard is another example that could be used as a guide for environmentally and socially responsible mining best practices, acknowledging that there may need to be a ramp-up period to achieve certain performance levels.

Such frameworks should seek to address:

- Maintaining stakeholder consultation processes throughout the lifecycle of the mine, beginning with exploration
- Responsible mine closure plans, established from the outset
- Rigorous tailings management with a transition to dry tailings
- Water management that requires high recycling rates of process water and incentivizes closed loop systems
- Demonstration of a “net positive” effect on local biodiversity
- Prohibitions on forced and child labor
- Enforcement of rigorous health and safety standards
- Legalization and formalization of artisanal and small-scale mining
- Free, prior and informed consent for indigenous and local communities

E. Rules To Govern Investment in Critical Mineral Supply Chains

1. Are there any commitments related to investment screening mechanisms that should be included in a plurilateral agreement on trade in critical minerals in order to adequately address risks associated with critical mineral supply chains?

CTA Response:

A plurilateral agreement should recognize the importance of investment screening mechanisms in protecting critical mineral supply chains from national security risks while maintaining an open and predictable investment environment. Participating countries should maintain transparent and clearly defined screening processes for foreign investment in critical minerals mining, refining, processing, and related infrastructure. Governments should coordinate where possible to share information on emerging risks and ensure that screening frameworks address potential supply chain vulnerabilities without unnecessarily discouraging responsible investment.

At the same time, achieving complete transparency across critical mineral supply chains can be difficult due to complex sourcing networks and commercial confidentiality considerations. Governments should therefore leverage existing industry approaches that promote responsible sourcing and supply chain transparency. Initiatives such as the Responsible Minerals Initiative already provide mechanisms for companies to conduct due diligence and share information about mineral sourcing practices. Aligning government approaches with these established frameworks can strengthen transparency while remaining practical for companies operating in global supply chains.

G. Mechanisms for Coordination Among Parties to the Agreement

1. How could a mechanism be designed to enable the parties to a plurilateral agreement to respond to externalities, dynamic market changes, or market crises?

CTA Response:

A plurilateral agreement should include mechanisms that allow participating countries to respond collectively to supply disruptions, market shocks, or sudden demand increases.

Advanced technology supply chains often rely on specialized materials produced in relatively small volumes across multiple tiers. Individual firms may struggle to secure stable supply.

Government coordination can help aggregate demand signals, reduce investor uncertainty, and support diversified supply chains.

Participating countries could deploy several tools:

- strategic mineral reserves
- incentives for allied sourcing
- financial incentives for private stockpiling
- risk-sharing mechanisms for mining and processing projects
- Governments could also coordinate enforcement of trade policy tools such as anti-dumping rules to address market distortions.

2. How could a plurilateral agreement support coordination of public and private scale-up support (e.g., offtake agreements, financing)?

CTA Response:

Government offtake programs – including strategic stockpile purchase commitments – for recycled and secondary critical mineral material meeting defined purity and chain-of-custody standards would provide the demand signal needed to justify private investment in secondary processing capacity. Such programs should be accessible to secondary and recycled supply sources on equal terms with primary producers, subject to meeting the same technical standards. The agreement should avoid mandatory consortium structures or exclusive processor relationships, and instead preserve commercial flexibility through voluntary, market-based offtake arrangements.

3. How could a plurilateral agreement mitigate any disruptions to critical minerals supply chains, within or outside of the agreement, that arise from factors such as natural disasters, geology, or technological changes?

CTA Response:

A plurilateral agreement can mitigate disruptions to critical mineral supply chains by promoting geographic diversification of mining, refining, and processing capacity among trusted partners. Geopolitical export or import restrictions represent one of the largest risks to mineral supply chains, and expanding production across multiple regions can reduce reliance on any single supplier. Participating countries should also encourage mining and refining facilities to maintain business continuity and disaster recovery plans that address potential disruptions from natural disasters, operational failures, or other unexpected events, and governments should conduct periodic market assessments to monitor technological developments and demand shifts that could affect supply chains.

In addition, many critical mineral projects are technically ready to proceed but remain stalled because the private sector cannot assume the long-term off-take risk for commodities with uncertain future demand, and individual commercial purchasers often lack the scale needed to support project financing. Governments should therefore consider backstop mechanisms such as guaranteed off-take commitments, credit or loan guarantees, insurance, or targeted fiscal incentives to provide the revenue certainty and risk mitigation needed to bring these projects online and strengthen supply chain resilience.

J. Additional Considerations

1. What other factors should the United States and other parties to a plurilateral agreement take into account in designing the plurilateral agreement to create a resilient and non-distorted marketplace among aligned trading partners?

CTA Response:

The United States and other participating countries should consider policies that support the development of critical minerals recycling infrastructure and increase the availability of recycled materials. Expanding recycling capacity can strengthen supply chain resilience and

reduce reliance on primary extraction. However, policymakers should design these initiatives carefully to avoid imposing requirements that create significant burdens for manufacturers or undermine the competitiveness of downstream industries.

Governments should also invest in research and development that supports innovative mining, refining, and recycling technologies. Strengthening these capabilities can improve efficiency, expand supply, and support long-term supply chain resilience. At the same time, the agreement should recognize the full cost of responsible extraction and processing, including investments in research and development, labor, worker safety, and facility modernization, as well as compliance with applicable laws and regulations.

To further strengthen the bloc's competitive edge, we also support the exploration of strategic integration of AI into mineral development. AI can optimize critical minerals exploration by analyzing unique mineral-hosting systems and recommending projects that reduce costs by balancing geological risk with environmental and social protections. This technology holds immense potential for regions like the Democratic Republic of the Congo, where AI-driven insights can accelerate the discovery of untapped resources while ensuring that new developments align with the bloc's standards.

Finally, policymakers should consider the current cost structure of domestic production in the United States. New rules under a plurilateral agreement should support responsible production while ensuring that regulatory requirements do not make it cost prohibitive to develop mining, processing, or manufacturing capacity in the United States.

2. What other trade-related measures should be considered to ensure that there is adequate supply of all forms of critical minerals available to the parties to the agreement, including scrap and recyclable materials, and to prevent non-market policies and practices from undermining that supply?

CTA Response:

The agreement should explicitly recognize that recycled critical mineral supply – including rare earth elements recovered from decommissioned electronic equipment such as servers, hard disk drives, and other data center components – meeting defined purity and chain-of-custody standards is strategically equivalent to virgin-mined supply for purposes of any price mechanisms, offtake commitments, or stockpile programs. In many cases, the provenance of recycled material from domestic data centers and electronics is more traceable than virgin-mined material from complex multi-country supply chains, making secondary supply well-positioned to meet rigorous chain-of-custody requirements. Price mechanisms should account for the distinct cost structure of secondary recovery to avoid systematically undervaluing recycled supply relative to primary production. However, rules of origin applied to recycled and secondary supply should be based on where recovery and processing occurs, not on the original manufacturing origin of the decommissioned equipment from which materials are recovered.