

House Engrossed

~~technical correction; urging the president~~  
(now: critical minerals; copper; urging inclusion)

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## HOUSE CONCURRENT MEMORIAL 2003

A CONCURRENT MEMORIAL

URGING THE UNITED STATES GEOLOGICAL SURVEY TO ADD COPPER TO ITS LIST OF  
CRITICAL MINERALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the President of the United States of America, the Director of the  
2 United States Geological Survey, the United States Secretary of the  
3 Interior and the Congress of the United States of America:

4 Your memorialist respectfully represents:

5 Whereas, according to the United States Geological Survey (USGS)  
6 "Mineral Commodity Summaries 2023," the estimated value of United States  
7 metal mine production in 2022 was \$34.7 billion; and

8 Whereas, in 2022, copper comprised the highest total share of that  
9 value, about 33%, with the United States (U.S.) producing an estimated 1.3  
10 million tons of copper valued at approximately \$11.45 billion; and

11 Whereas, globally, the U.S. produced about 5.9% of all copper in  
12 2022 and was the fifth largest producer, behind Chile, Peru, Congo and  
13 China; and

14 Whereas, Arizona ranked number one in the country for total value of  
15 nonfuel mineral production in the U.S., with copper representing the  
16 principal nonfuel mineral commodity produced in 2022; and

17 Whereas, according to Standard & Poor's "The Future of Copper," the  
18 demand for copper to supply the rapid deployment of new energy  
19 technologies, such as electric vehicles, batteries and solar  
20 photovoltaics, while continuing to serve all other sectors that are  
21 dependent on copper for economic growth, is expected to double to 50  
22 million metric tons by 2035 and reach more than 53 million metric tons by  
23 2050; and

24 Whereas, the expected and rapid rise in demand presents an immediate  
25 need for the mining and exploration industries to increase global supplies  
26 of copper and copper reserves, which U.S.-based and U.S.-aligned companies  
27 are willing and able to provide; and

28 Whereas, funding from the Bipartisan Infrastructure Law, CHIPS &  
29 Science Act, and Inflation Reduction Act will invest more than \$135  
30 billion on projects related to critical minerals sourcing and processing  
31 for the development of advanced manufacturing and America's energy future;  
32 and

33 Whereas, in October 2022, the White House launched the American  
34 Battery Materials Initiative to align and leverage federal resources to  
35 grow a more resilient and domestic end-to-end supply chain for the  
36 manufacture of battery energy storage systems and electric vehicles, as  
37 well as to support the faster and fairer development and permitting of  
38 domestic projects to accelerate increased domestic energy and mineral  
39 production; and

40 Whereas, the supply chain issues that the U.S. experienced during  
41 the COVID-19 pandemic demonstrated how easily projects can be delayed when  
42 critical materials are suddenly not available for months; and

43 Whereas, developing domestic supplies of critical minerals and  
44 strategic metals ensures a reliable supply chain that is not subject to  
45 global disruptions, provides domestically sourced materials for U.S.

1 manufactured products and creates jobs across the entire mining lifecycle  
2 for metals that are essential to batteries, electric vehicles and other  
3 energy technologies; and

4 Whereas, in addition to significant efforts to develop the  
5 processing and manufacturing facilities for energy metals, the USGS  
6 developed the Earth Mapping Resources Initiative to study different  
7 regions and mineral systems to better understand where critical minerals  
8 can be found, identify potential mineralized areas containing critical  
9 minerals and which minerals might be at high enough concentrations for  
10 extraction, and to provide basic geologic data to the public. This data  
11 can be used freely by the mining and exploration industries to seek  
12 additional deposits of critical minerals and hopefully pursue development  
13 and extraction of such critical resources; and

14 Whereas, in response to Executive Order 13817 of December 20, 2017,  
15 "A Federal Strategy to Ensure Secure and Reliable Supplies of Critical  
16 Minerals," the United States Secretary of the Interior, in coordination  
17 with the heads of other relevant executive departments or agencies,  
18 developed a list of 35 "critical minerals" that were nonfuel mineral or  
19 mineral material essential to the economic and national security of the  
20 United States, the supply chain of which is vulnerable to disruption, and  
21 that serves an essential function in the manufacturing of a product, the  
22 absence of which would have significant consequences for our economy or  
23 our national security; and

24 Whereas, section 7002 of the Energy Act of 2020 (Public Law 116-260)  
25 directed the U.S. Secretary of the Interior to, through the Director of  
26 the USGS, designate a list of critical minerals and update that list every  
27 three years. It also instructed the USGS to conduct domestic resource  
28 assessments of critical minerals and make that information publicly  
29 available; and

30 Whereas, in 2022, the USGS issued a 2022 final list of critical  
31 minerals (87 FR 10381), "2022 Final List of Critical Minerals," which was  
32 determined using the most up-to-date scientific methods to evaluate  
33 mineral criticality and contains 15 more commodities than the 2018 list of  
34 critical minerals, increasing the number of mineral commodities included  
35 in the list from 35 to 50; and

36 Whereas, of the 50 mineral commodities identified in the 2022 list  
37 of critical minerals, the U.S. was 100% net import reliant for 12, and an  
38 additional 31 critical mineral commodities had a net import reliance  
39 greater than 50% of apparent consumption; and

40 Whereas, according to the USGS "Methodology and Technical Input for  
41 the 2021 Review and Revision of the U.S. Critical Minerals List," the  
42 criteria threshold for a commodity's inclusion in the list of critical  
43 minerals is a recency-weighted mean supply risk score of at least .40, and  
44 commodities that meet or exceed this score are recommended for inclusion  
45 on this list; and

1           Whereas, USGS data collection and analysis considers emerging issues  
2 in crucial supply chains and, every three years, identifies the nation's  
3 current vulnerabilities to potential disruptions; and

4           Whereas, copper has always been critical to our national security,  
5 water infrastructure and electrical and energy infrastructure, and recent  
6 significant increases in the supply risk, particularly from adversarial  
7 countries like China and Russia, have only increased the risk of  
8 disruption to global copper supplies and have made its immediate inclusion  
9 on the critical mineral list necessary; and

10           Whereas, copper was not included in the 2018 or 2022 critical  
11 minerals list; and

12           Whereas, with the release of the draft 2022 list, a new qualitative  
13 methodology was created to look more closely at a supply risk score by  
14 calculating the economic vulnerability, disruption potential and trade  
15 exposure of various minerals; and

16           Whereas, in a 2022 letter to Utah Governor Spencer Cox, USGS  
17 Associate Director for Energy and Mineral Resources, Sarah Ryker, stated  
18 that "If the criticality status of a mineral commodity were to change  
19 significantly in the near term, the USGS would publish information on the  
20 changed circumstances without waiting for a 3-year update cycle"; and

21           Whereas, the share of copper consumption that is met by net imports  
22 has increased from 31% in 2016 to 49.3% in 2021 and, in the first half of  
23 2022, the U.S. reliance on net imports remained at 48 percent; and

24           Whereas, since 2018, the risks to copper from imports have increased  
25 dramatically; and

26           Whereas, in 2023, the Copper Development Association issued a report  
27 replicating the USGS's methodology for determining mineral criticality and  
28 determined that copper's updated supply risk score in 2022 was 0.423, and  
29 the four-year weighted average score is now 0.407, both of which are above  
30 the USGS's 0.40 threshold for automatic inclusion on the critical minerals  
31 list ("Copper Meets Inclusion Criteria for U.S. Geological Survey's  
32 Critical Minerals List"); and

33           Whereas, in 2023, a group of six U.S. senators, including Senators  
34 Kyrsten Sinema and Mark Kelly from Arizona, wrote a letter to the  
35 Honorable Deb Haaland, Secretary of the U.S. Department of the Interior,  
36 urging her to "revisit and consider" the designation of copper as a  
37 critical mineral; and

38           Whereas, given copper's major role in state and national economic  
39 development, national security and infrastructure, copper is a critical  
40 mineral and should be included on the USGS's list of critical minerals;  
41 and

42           Whereas, the recently available data, dramatic rise in the supply  
43 risk score, significant change in circumstances and critical status of  
44 copper merit immediate attention and require the USGS to publish updated

1 information without having to wait for the conclusion of its next 3-year  
2 update cycle; and

3       Whereas, designation of copper on the critical minerals list will  
4 significantly benefit and protect the United States as we continue to  
5 invest in an emerging energy economy and other copper-intensive  
6 applications; and

7       Whereas, by recognizing copper as a "critical mineral," the United  
8 States government can more effectively ensure a secure and reliable supply  
9 of domestic copper resources in the years to come, achieve mineral  
10 independence and promote the development of its strategic commercial and  
11 industrial sectors that are dependent on copper supplies.

12 Wherefore your memorialist, the House of Representatives of the State of  
13 Arizona, the Senate concurring, prays:

14       1. That the United States Geological Survey add copper to its list  
15 of critical minerals.

16       2. That the United States Department of the Interior and United  
17 States Congress support the United States Geological Survey in adding  
18 copper to the United States Geological Survey critical minerals list.

19       3. That the Secretary of State of the State of Arizona transmit  
20 copies of this Memorial to the President of the United States, the  
21 President of the United States Senate, the Speaker of the United States  
22 House of Representatives, the Secretary of the United States Department of  
23 the Interior, the Director of the United States Geological Survey and each  
24 Member of Congress from the State of Arizona.

PASSED BY THE HOUSE MARCH 1, 2023.

PASSED BY THE SENATE APRIL 5, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 6, 2023.