Washington, DC 20515

August 17, 2026

Ambassador Greer
U.S. Trade Representative
600 17th St. NW,
Washington, D.C. 20508

Secretary Rubio
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Secretary Lutnick
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230

Secretary Bessent
U.S. Department of the Treasury
1500 Pennsylvania Ave., NW
Washington, D.C. 20220

Dear Ambassador Greer, Secretary Rubio, Secretary Lutnick, and Secretary Bessent:

We write to raise serious concerns with the administration's recent international agreements related to critical minerals, including framework agreements, agreements on reciprocal trade, action plans, memoranda of understanding (MOU), and a potential Plurilateral Agreement on Trade in Critical Minerals.[1] While we have long supported efforts to strengthen U.S. critical minerals supply chains to build our clean energy and technology industries and to reduce reliance on China, several of these "deals" raise concerns regarding transparency, labor and human rights, environmental protections, and insufficient congressional oversight.

As you know, poorly regulated mining and minerals processing has a well-documented record of environmental damage, displacement and harm to Indigenous communities, and widespread labor and human rights violations. Any agreement facilitating trade in critical minerals must directly address these harms and avoid reinforcing extractive models that prioritize mining profits over communities and workers.

All minerals-related trade negotiations must also allow for broad public participation and congressional review and approval, as required by Article 1, Section 8 of the Constitution. We were alarmed to hear about the administration's threats to use "trade-restricting measures" in negotiating critical minerals agreements which directly usurp Congressional prerogatives on trade.

Our scrutiny of executive overreach in critical minerals agreements is not new. Republican and Democratic congressional leaders alike sharply criticized the Biden administration's critical minerals trade deal with Japan for circumventing Congress's trade authority and lacking enforceable labor, human rights, and environmental standards.

Unfortunately, the Trump administration expanded this approach, announcing critical minerals deals and related provisions in the broader "reciprocal" trade deals without meaningful consultation with Congress nor the communities that would be most impacted. A letter sent to Secretary Rubio by more than 50 House members last August[2] requesting basic information about the negotiations of a critical minerals deal with the Democratic Republic of Congo (DRC) went unanswered.

We were alarmed to learn the Trump administration has since signed a "Strategic Partnership Agreement" (SPA) with the DRC which calls for sweeping changes to the DRC's constitution and grants U.S. companies a

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[1] 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

[2] https://lindasanchez.house.gov/sites/evo-subsites/lindasanchez.house.gov/files/evo-media-document/2028.08.08-congo-critical-minerals-letter.pdf

"right of first offer" on mining concessions.[3] The SPA has paved the way for foreign mining companies to extract the DRC's mineral wealth amid a violent conflict, all while mass violence and human rights violations continue. In this context, reports the U.S. helped fund a paramilitary force to guard mining operations in the DRC[4] and may lift Magnitsky Act sanctions[5] on businessman Dan Gertler to facilitate a cobalt deal, are especially troubling.

We were further troubled to learn that U.S. development assistance is being used as leverage in critical minerals negotiations. It is callous and unacceptable that the State Department threatened to withhold HIV medicines and other lifesaving assistance for the Zambian people to pressure the Zambian government into signing a critical minerals agreement with the U.S.[6]. The Trump administration's cuts to foreign aid, particularly for healthcare assistance, have also threatened workforce stability, economic development, and broader U.S. strategic interests in partner countries.

We also note significant issues with the critical minerals provisions included in several Agreements on Reciprocal Trade (ART). The ART with Malaysia[7] prevents export restrictions on critical minerals which some emerging economies rely on to promote value addition, increase government revenue, and support downstream development[8]. ARTs with Argentina, Ecuador, Cambodia and Bangladesh explicitly require countries to facilitate U.S. mining investment in their countries without requiring any binding environmental, labor, or human rights commitments.

In addition, provisions within the MOU concluded with Malaysia establish an institutional channel for the United States to influence mining policy and governance in Malaysia while skirting Congressional involvement, international agreements, and public debate. The text explicitly encourages "streamlining permitting processes". Under the Trump administration "streamlining" policies for domestic mining has included dramatically limiting environmental review, eliminating opportunities for public input, and weakening or repealing environmental protections. This MOU, and others modeled on it, could therefore provide a channel for the Trump administration to push its deregulatory agenda onto partner countries without scrutiny.

Finally, we are deeply concerned these deals commit U.S. taxpayers to billions in direct loans and loan guarantees by the Development Finance Corporation (DFC) and Export-Import Bank and other federal equity investments in mining and processing. These structures shift risk onto U.S. taxpayers while encouraging companies to take on riskier projects. If projects succeed, companies keep the profits; if they fail, taxpayers help absorb losses.

Absent strong transparency and accountability measures, these investments and loan guarantees raise risks of conflicts of interest, self-dealing, preferential treatment, and weakened oversight. The Export-Import Bank inspector general position has remained vacant for months, and the recent DFC reauthorization expanded the agency's authorities while reducing congressional oversight, leaving hundreds of billions of dollars in U.S.

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[3] https://www.citizen.org/article/critical-minerals-and-contested-sovereignty/

[4] https://apnews.com/article/congo-mining-paramilitary-guard-united-states-d86a8a8b93612aa17e1fe0a2eb343674

[5] https://www.citybiz.co/article/813429/a-9-billion-u-s-backed-minerals-deal-could-reshape-western-access-to-congos-cobalt-but-a-single-treasury-decision-stands-in-the-way/

[6] https://www.nytimes.com/2026/03/16/health/zambia-hiv-aid-minerals-trump.html

[7] https://www.citizen.org/article/trumps-u-s-malaysia-deal/

[8] https://www.oecd.org/en/publications/oecd-inventory-of-export-restrictions-on-critical-raw-materials-2026_d5ca8f62-en/full-report/component-2.html?

government-backed financing without credible safeguards against corruption or misuse of taxpayer funds. Recent reporting by the *New York Times* that members of the Trump and Lutnick families could be enriched through U.S.-financed critical minerals deals underscores this concern.[9]

These risks are compounded by the Trump administration's pursuit of critical minerals agreements that include price floors. Depending on the goals and design of coordinated price support mechanisms, they could facilitate cartel-like behavior inconsistent with U.S. antitrust law and inadvertently benefit Chinese firms elsewhere in the critical minerals supply chain. Without rigorous safeguards, traceability requirements, and restrictions on participation by Chinese state-linked firms, these mechanisms could inadvertently reinforce China's dominance in global supply chains rather than reduce U.S. dependence on it.

In light of these concerns, we call for a transparent and accountable negotiation process, alongside a clear commitment to advancing high-road, sustainable critical minerals mining and processing. The United States must also engage partner countries with respect for their sovereignty and support value-addition in critical minerals supply chains that strengthens emerging economies and ensures exploitative practices of the past are not repeated.

In addition, we request answers to the following questions:

1. Will the Trump administration include binding standards and enforcement mechanisms in its critical minerals arrangements to protect the environment, communities, and the full range of internationally recognized labor rights, not only the prohibition of forced labor? How will compliance be measured, verified, and reported? And what penalties will apply when violations occur?
2. How will the administration ensure that the U.S.-backed paramilitary force in the Democratic Republic of the Congo respects human rights and does not interfere with the exercise of internationally recognized labor rights, including freedom of association?
3. What assessment, if any, has the administration conducted regarding the impact of recent reductions or disruptions in U.S. foreign assistance, particularly healthcare and HIV/AIDS programming, on U.S. mining companies operating abroad and the local workforce on which those companies rely?
4. Mineral circularity, the practice of minimizing waste and maximizing the lifespan of minerals, has the potential to create American jobs, improve supply chain resilience, and reduce unnecessary waste. Will the U.S. integrate circularity requirements or incentives into its critical minerals arrangements to ensure that minerals are reused, refurbished, and recycled as often as possible?
5. What specific safeguards are in place to ensure that U.S. taxpayer-financed DFC and Export-Import Bank-backed guarantees do not incentivize excessively risky overseas mining projects or unfairly benefit specific firms, investors, or political interests? How will the projects supported by this financing benefit workers in the United States and in the countries where the projects are located?
6. How will the administration ensure that the U.S. government's acquisition of equity stakes in critical minerals firms will not result in conflicts of interest, self-dealing, preferential treatment, or weakened regulatory oversight and enforcement?
7. What safeguards are in place to ensure that a proposed price floor for critical minerals does not enable coordination among firms or otherwise create antitrust risks associated with price-setting?
8. How will the administration ensure that any price floor arrangement does not allow Chinese firms or state-linked entities to benefit from third-country production, concentration of downstream processing and refining capacity, or transshipment?

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[9] https://www.nytimes.com/2026/06/28/world/europe/trump-lutnick-sons-kazakhstan.html

9. The administration has worked to accelerate deep-sea mining of critical minerals including with the recent U.S.-Japan MOU on deep-sea mineral resource development, ordering agencies to commence mapping and expedite permitting despite a lack of scientific studies. Has the administration conducted environmental impact assessments of how these activities could affect fisheries, ocean carbon storage, and coastal economies? Does the administration have a plan to address potential harm and, if so, what has been proposed?
10. Strong, mutually beneficial trade partnerships are essential to securing U.S. critical minerals supply chains. How is the administration ensuring that its critical minerals strategy does not limit partner countries to extractive roles, but instead supports their ability to develop value-added processing and manufacturing capacity that promotes economic development rather than dependence?

Sincerely,

Linda T. Sánchez
Member of Congress

Jared Huffman
Member of Congress
Ranking Member, Committee on Natural Resources

Jonathan L. Jackson
Member of Congress

Eleanor Holmes Norton
Member of Congress

Lloyd Doggett
Member of Congress

Kathy Castor
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Mike Quigley
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Shri Thanedar
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Suzanne Bonamici
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Ilhan Omar
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Judy Chu
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Becca Balint
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