



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240



Department of Energy

Washington, DC 20585

June 28, 2024

Dear Tribal and Alaska Native Leader:

In February 2021, President Biden announced an Executive Order on securing America's supply chains¹--including critical minerals²--to further our nation's national security and climate goals including a transition net zero emissions economy by 2050. Critical minerals are the building blocks of this energy transition and the Biden-Harris Administration (the "Administration") is pursuing a whole-of-government approach to increase the reliability of the critical minerals supply chain, including strengthening recycling, researching critical minerals replacements, assessing standards, pursuing international engagements, and increasing responsible domestic mining.

The Administration acknowledges the problematic and damaging history between extractive industries and Tribal communities, and the potential impact of new mining to significantly impact Tribal lands, people and resources. Early, meaningful, and ongoing consultation and engagement with Tribal governments is imperative as the US government pursues development of a responsible, critical minerals supply chain. Furthermore, Tribes should be given the opportunity to equitably share in the economic development benefits of mineral development.

First and foremost, the Administration is striving to not repeat the sins of the past with extractive industry. As part of this effort, the Administration's Department of the Interior-led Interagency Working Group (IWG) on Mining Laws, Regulations, and Permitting held four Tribal consultations and other Tribal listening sessions to receive Tribal input on improving mining on public lands.³ In September 2023, the IWG published the *Recommendations to Improve Mining on Public Lands* report⁴ with dozens of recommendations for improving Tribal consultation and engagement, protection of Tribal resources, and sharing of economic benefits when it comes to mining. Note, the report's recommendations may also support improved practices for projects not on public lands.

In response to several Tribal inquiries about the Administration's actions on critical minerals, the White House Council on Native American Affairs ([WHCNAA](#)) created a Critical Minerals Working Group. On behalf of the Administration, the WHCNAA Critical Minerals Working Group would like to invite your Tribe to consultation on the September 2023 *Recommendations to Improve Mining on Public Lands* report, see attachment #3 for a summary of the recommendations.⁵ Through this consultation, the Administration seeks your feedback to prioritize and implement recommendations from the report that will benefit Tribes.

¹ [Federal Register :: America's Supply Chains](#)

² The Energy Act of 2020 defined critical minerals as those that are essential to the economic or national security of the United States; have a supply chain that is vulnerable to disruption; and serve an essential function in the manufacturing of a product, the absence of which would have significant consequences for the economic or national security of the U.S. <https://www.usgs.gov/faqs/what-a-critical-mineral>

³ [Federal Register :: Request for Information To Inform Interagency Working Group on Mining Regulations, Laws, and Permitting](#)

⁴ Biden-Harris Administration's Interagency Working Group on Mining Laws, Regulations, and Permitting (2023), *Final Report: Recommendations to Improve Mining on Public Lands*, found at <https://www.doi.gov/sites/doi.gov/files/mriwg-report-final-508.pdf>.

⁵ See Attachment 3 for list of recommendations.

This Working Group also created a Draft National Tribal Critical Minerals Initiative to improve Tribal consultation and engagement in domestic critical minerals supply chain. The purpose of this initiative is to ensure Tribal interests are meaningfully considered early and often in the pursuit of a domestic critical minerals supply chain, including environmental and human health protection, Tribal and cultural resources protection, and economic development or other benefits sharing. During the consultation we will also ask for your feedback on the Draft National Tribal Critical Minerals Initiative. See attachment #2 for more details on the initiative.

These upcoming Tribal consultations and your feedback will inform the steps that the Administration will take in the future in pursuit of a responsible domestic critical minerals supply chain. The Administration is also in the process of planning forums that convene Tribes, non-governmental organizations (NGOs), and industry for discussions later this year.

Consultation Opportunities

Session	Date/Time	Location/Connectivity
Lower 48 Tribes	July 30, 2024 10 A.M. – 1 P.M. MT	Hybrid (In-person and virtual) DoubleTree by Hilton Denver, CO 3203 Quebec St Denver, CO 80207 Parking available in hotel lot. Register at least 24 hours in advance via the following link: https://www.zoomgov.com/meeting/register/vJltf-GppzlrH_LWSD8inCgGedC9ddl99xo
Virtual All Tribes & Native Alaskans	August 13, 2024 12 P.M. – 2 P.M. ET	Virtual only meeting Register at least 24 hours in advance via the following link: https://www.zoomgov.com/meeting/register/vJltdqtpz4tHRSpU1LrgFCKzpsFoAXlQU
Alaska Native Villages	August 20, 2024 10 A.M. – 1 P.M. AT	Hybrid (In-person and virtual) Department of Housing & Urban Development (HUD) 3000 C. Street, Suite 401 Anchorage, AK 99503 Parking available on street & enter at rear of building. Register at least 24 hours in advance via the following link: https://www.zoomgov.com/meeting/register/vJlscerrzvjEuXy9oFHPA1gNHNFS0E2Cf4
Alaska Native Corporations	August 21, 2024 10 A.M. – 1 P.M. AT	Hybrid (In-person and virtual) Department of Housing & Urban Development (HUD) 3000 C. Street, Suite 401 Anchorage, AK 99503 Parking available on street & enter at rear of building. Register at least 24 hours in advance via the following link: https://www.zoomgov.com/meeting/register/vJltd0irpzk uG1bFpsPaurTCK9YFoOqYujQ

To support the dialogue, WHCNAA developed the attached framing papers and slides. The materials include background information to inform your participation in the consultation. It outlines agency roles in critical minerals, recommendations from the 2023 report *Improving Mining on Public Lands*, and topics the administration wants your feedback on. These documents are attached for your review and reference, and also available on the WHCNAA website: bia.gov/tribal-critical-minerals-initiative.

Attachment 1: Framing Paper on Critical Minerals Consultation (Attached)

Attachment 2: Framing Slides (Attached)

Attachment 3: Summary of Recommendations to Improve Mining on Public Lands (Attached)

Attachment 4: Consultation Topics (Attached)

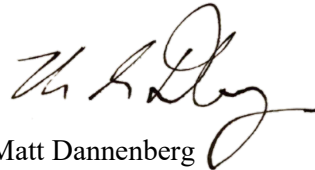
Written Comments Due August 31, 2024

If your Tribe is unable to participate in any of these sessions or has additional feedback that you are unable to share in the session, you can submit written comments to whcnaa@bia.gov.

Thank you for your participation,



Dr. Steve Feldgus
Principal Deputy Assistant Secretary for
Land and Minerals Management
US Department of the Interior
(Co-Chair WHCNAA Critical Minerals
Working Group)



Matt Dannenberg
Senior Tribal Liaison
US Department of Energy
(Co-Chair WHCNAA Critical Minerals
Working Group)



PoQueen Lee-Rivera
Acting Executive Director
White House Council on Native
American Affairs

Enclosures: Attachment 1: Framing Paper on Critical Minerals Consultation
Attachment 2: Framing Slides
Attachment 3: Summary of Recommendations to Improve Mining on Public Lands
Attachment 4: Consultation Topics