



April 1, 2025

Stephen Astle
Director, Defense Industrial Base Division
Office of Strategic Industries and Economic Security
Bureau of Industry and Security
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

RE: “Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Copper,” Federal Register docket number BIS-2025-0010 (X-RIN 0694-XC116).

Dear Director Astle:

The U.S. Chamber of Commerce appreciates the opportunity to respond to the U.S. Department of Commerce’s request for comments cited above and welcomes the Administration’s initiative to enhance the U.S. copper supply chain. The Administration has stated its intent to use these comments to “determine the effects on U.S. national security of imports of copper in all forms.”

Copper is critical to the U.S. economy due to its extensive applications in defense, infrastructure, and emerging technologies. It is a vital component in military equipment—including communications systems, weapons, and vehicles—that is essential to operational readiness and effectiveness. Additionally, copper is essential to the ongoing electrification of more parts of the U.S. economy through such technologies as electric vehicles and renewable energy systems, which are playing a valuable role reducing dependence on foreign energy sources and enhancing energy security.

As background, U.S. net import reliance for copper was approximately 45% in 2024, according to [data](#) from the U.S. Geological Survey (USGS). The top sources of U.S. copper imports in 2020-2023 were free-trade agreement (FTA) partners, including Chile (refined), Canada (matte, ash, ore, scrap), and Mexico (scrap). Other top sources include Belgium, Japan, Spain, and Peru, according to the USGS.

Recommended Policies to Strengthen the Copper Supply Chain

The Chamber encourages the Administration to implement pragmatic and holistic policies to strengthen the supply chain for copper with a focus on domestic production and processing as well as cooperation with allies and FTA partners. Such an approach will lead to greater regulatory certainty and, in turn, to increased investment in mining and processing of copper and other critical minerals. Not only are these policies necessary to strengthen the copper supply chain, they also mirror the efforts and goals outlined in the President's Executive Order issued March 20, 2025, [Immediate Measures to Increase American Mineral Production](#).

Facilitate Permitting Reform: Streamlining the permitting process for mining and minerals processing projects is essential to fostering copper production. By expediting approvals and reducing regulatory bottlenecks, domestic production capabilities can be enhanced and reliance on foreign adversaries reduced.

The Administration has taken steps towards achieving these goals through several executive orders (EO). In the [Critical Minerals EO](#), the head of the National Energy Dominance Council is directed to “identify priority projects that can be immediately approved, or for which permits can be immediately issued and take all necessary or appropriate actions within the agency’s authority to expedite and issue the relevant permits or approvals.” The U.S. copper supply chain will be strengthened directly to the degree that all coordinating agencies act expediently on this directive. Further, doing so is likely to provide immediate benefit for the development of major domestic copper mining projects in a number of states.

Other executive orders including Unleashing American Energy¹, Declaring a National Energy Emergency,² and Unleashing Alaska’s Extraordinary Resource Potential³ are examples where the President is utilizing all available tools to expedite permitting and use lawful emergency authorities to increase the production, siting, and refining of copper and other domestic resources.

Add Copper to the USGS List of Critical Minerals: Copper’s importance in defense applications, infrastructure, clean energy, and advanced technologies warrants its inclusion on the critical minerals list. This designation will prioritize copper in national security strategies and ensure focused efforts on securing its supply from trusted sources.

¹ EO 14154, Unleashing American Energy, 90 Fed. Reg. 8353.

² EO 14156, Declaring a National Energy Emergency, 90 Fed. Reg. 8433.

³ EO 14143, Unleashing Alaska’s Extraordinary Resource Potential, 90 Fed. Reg. 8347.

Extend the Section 45X Tax Credit to Copper: Allowing copper to qualify for eligibility under section 45X of the Internal Revenue Code would significantly reduce the financial burden on domestic producers. This incentive will encourage investment in copper mining and refining, thereby strengthening key aspects of the domestic supply chain. Reducing production costs will support innovation in mining and processing technologies, leading to more efficient and environmentally friendly practices.

Establish an Investment Tax Credit for Copper: Congress should create an investment tax credit similar to that in section 48D of the Internal Revenue Code to boost capital investment in U.S. copper production, processing, smelting, and refining equipment.

Support Innovation, Technology, and Workforce Development: Mining companies would greatly benefit from grants and tax credits to invest in research and development for initiatives that would increase production at existing mines and stockpiles. Additionally, there is a critical shortage of mining professionals, with only nine mining engineering programs at U.S. colleges and universities while a significant percentage of the mining workforce is expected to retire in the next 10-15 years. Grants to support mining training and trade schools will help address this challenge.

Leveraging Processing Capabilities: Despite its abundant copper reserves, the United States has a significant gap in its smelting infrastructure. Much of the copper mined domestically is sent to China for smelting — as, indeed, is much copper mined and refined to concentrate form in other countries. China is a dominant force in smelting, and its economies of scale allow it to process copper concentrate at low cost. This also affords China ancillary benefits of the smelting process, which generate commercially useful quantities of other critical minerals.

Capacity utilization at domestic copper smelting facilities has been low, and U.S. copper supply chain security would benefit if policies to address this challenge — and possibly expand domestic processing capabilities — were adequately addressed. There are no easy solutions, however. Further engagement with industry would be useful to consider possible price guarantees and off-take agreements as a response to China's practices that currently undercut existing U.S. processing and result in regular losses. Closer coordination with allies and FTA partners will also be important to devising policies that address this problem intelligently.

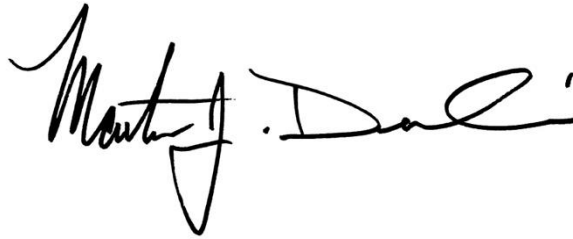
Endorsing this pragmatic and holistic approach — and engaging in additional industry dialogue with greater deliberation — will not only support the domestic copper industry but also enhance U.S. national security and economic stability. Permitting reform, adding copper to the U.S. critical minerals list, extending the 45X

tax credit to copper and creating an investment tax credit, supporting workforce development for the mining sector, and leveraging domestic processing assets (and increasing them) are all key to achieving this objective.

* * *

The Chamber appreciates the opportunity to share these comments and looks forward to further discussion to address these important issues.

Sincerely,

A handwritten signature in black ink, reading "Marty J. Durbin". The signature is fluid and cursive, with a large, stylized initial "M" and a distinct "J" before the surname "Durbin".

Marty Durbin
President, Global Energy Institute
U.S. Chamber of Commerce