Oral Testimony of

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before the

House Committee on Ways and Means

on

"Strategic Partnerships to Secure Critical Resources and Supply Chains"

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Chairman Smith, Ranking Member Sánchez, and Members of the Committee, I appreciate the opportunity to testify today on behalf of Public Citizen's Global Trade Watch.

It is a reasonable goal to seek diverse and reliable supply chains for minerals. But the way we do so matters. When we talk about "supply chains," we are talking about real people: people who work in dangerous mines; Indigenous and other frontline communities whose land might be seized or polluted; children whose health may be harmed. These people are put even more at risk by trade and investment deals that don't require transparency, that lack strong and enforceable protections, and that fail to respect the sovereignty and development goals of partner countries.

My testimony focuses on three areas:

1. The lack of transparency in the Trump administration's critical minerals deals,
2. Harmful terms in the text we've seen, and
3. Risks of corruption and misuse of taxpayer financing.

First, on process:

The Trump administration has flouted congressional authority as it has negotiated a web of minerals deals, including framework agreements, agreements on reciprocal trade, action plans, and MOUs — providing no central source of information on what countries it is negotiating with or the specific terms under discussion.

Earlier this year, the State Department suggested the existence of 38 such MOUs or frameworks. Public Citizen's review of publicly available information revealed just 27 – 15 MOUs and 12 frameworks, and the U.S. government has released the text of only two of those MOUs. We have submitted FOIA requests and initiated litigation seeking the release of the remaining texts.

USTR is also developing a plurilateral Agreement on Trade in Critical Minerals. Textual proposals of any such deal should be made public so we can understand what is being negotiated and who stands to benefit.

Second, with respect to harmful terms in the deals:

The Trump administration has threatened steep tariffs and even conditioned aid and security guarantees to strongarm countries into deals that control how they can regulate, export, and allocate their mineral wealth. This undermines partners' sovereignty and development goals, and grants the U.S. government and U.S. investors extreme power over foreign resources.

The deal with the Democratic Republic of the Congo, part of an ostensible Trump-negotiated peace arrangement, grants U.S. companies a "right of first offer" to a secretive reserve of mineral deposits and forces the DRC to amend its laws and, if needed, its constitution. Meanwhile, violence in the DRC continues unabated.

In Zambia, the Trump administration even planned to tie HIV and malaria treatment to critical minerals access.

And in several Agreements on Reciprocal Trade, such as with Indonesia, critical minerals provisions weaken the ability of those countries to promote value addition and increase government revenue. And all these deals lack enforceable environmental, labor, or human rights commitments in an industry rife with abuses.

And third, opportunities for corruption:

These deals, alongside President Trump's executive orders, create the framework for Export Import Bank and the Development Finance Corporation to pump billions of dollars in taxpayer-backed support into mining and processing projects without sufficient oversight or guardrails. Such opaque financing arrangements are highly susceptible to bankrolling high-risk, politically connected ventures.

For instance, recent reporting from Kazakhstan raises conflict of interest concerns. Eric and Donald Trump Jr. increased their investments in a company just days before it acquired major stakes in a Kazakhstan mining firm that has been offered up to $1.6 billion in potential DFC and

EXIM financing. The project deal was reportedly ushered through with the personal help of President Trump and top officials. The same month, Secretary Lutnick also signed an minerals MOU with the Kazakh government, which hasn't been released.

Secretary Lutnick's former firm Cantor Fitzgerald, now controlled by his sons, is also invested in a Texas mine that recently received $1.6 billion in federal funds. Vulcan Elements, a small rare-earth startup, received a $620 million government loan — twice the company's valuation — after receiving backing from 1789 Capital, where Donald Trump Jr. is a partner.

The massive amounts of taxpayer funds involved in these deals require public disclosure of terms, ownership, financing, and government guarantees to avoid corrupt practices.

I'll conclude by urging this committee to exercise its authority and demand that concluded critical minerals deals be submitted to Congress for scrutiny and approval. And we urge Congress to require that future deals contain measures that help meet important climate, job, sustainable development, human rights, and anti-corruption goals.