

Biden vs. Trump: Critical Minerals Policy

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This is the seventh in a series of TAG memos contrasting the views of Joe Biden and Donald Trump that could most shape U.S. policy toward the Indo-Pacific region in 2025. The most recent brief on their views about outbound FDI can be found [here](#).

Key Takeaways

Critical Minerals Policy	Trump	Biden
Motivations	<ul style="list-style-type: none"> Aimed to bolster domestic critical minerals production and insulate supply chains from economic coercion 	<ul style="list-style-type: none"> Sought to synthesize Trump-era critical minerals policies into a cross-sector “de-risking” agenda
Implementation	<ul style="list-style-type: none"> Empowered federal agencies to identify critical minerals and assess acquisition risks 	<ul style="list-style-type: none"> Created/refined systems and processes needed for infrastructure and international coordination

- Both Donald Trump and Joe Biden authorized unprecedented measures to reduce the United States’ dependence on critical minerals imports and bolster its domestic production capabilities. While their motivations were similar, their approaches to implementation differed significantly.
- Trump’s strategy focused on narrowly scoped policies that empowered federal agencies to classify critical minerals and identify acquisition risks. The Biden administration expanded those measures and made critical minerals policy part of a “whole-of-government” drive to strengthen supply chains across multiple sectors. This approach prioritized creating and/or refining systems and processes for financing, infrastructure, and (especially) international coordination.
- If elected, either candidate will likely seek to accelerate funding for domestic production and further empower federal agencies to monitor critical minerals suppliers and stockpiles. However, a re-elected Trump may de-prioritize strengthening U.S.-led international coordination on balancing China’s dominance in the sector.
- It is possible that a second Trump administration’s overall trade policy toward China – if it includes high unilateral tariffs – could prompt Beijing to suspend critical mineral exports to the United States. China refrained from using this drastic option during the 2018–2020 U.S.-China trade dispute as it



likely did not want to risk more damage to its own technology supply chains. Beijing could revise its calculus depending on how a re-elected Trump pursues his China policy.

How U.S. Policymakers Define “Critical Minerals”

The terms “critical minerals” and “rare earths” are often used interchangeably, but they do not refer to the same substances. As outlined by the Energy Act of 2020, “critical minerals” are minerals and elements designated by the U.S. Secretary of the Interior as (1) essential to the economic and national security of the United States, (2) having a vulnerable supply chain, and (3) serving a key function in the manufacturing of widely used products like EVs, batteries, and magnets.

The U.S. Geological Survey (USGS) identified 50 elements (including some rare earths) – such as cobalt, gallium, germanium, lithium, and nickel – for inclusion in the Interior Department’s Critical Minerals List. Once a mineral is included on the Critical Minerals List, the Departments of the Interior, Energy, and Defense are urged to accelerate its exploration, extraction, refining, stockpiling, and related research efforts. Potential measures include expediting mining permits, funding infrastructure projects, and bolstering international cooperation via technology transfer and information sharing.

The Candidates in Comparison

Motivations

Trump: Trump aimed to bolster domestic production and insulate supply chains from economic coercion – especially from China. When he entered office, policymakers on both sides of the aisle were already concerned about the national security implications of Beijing’s rising share of the world’s rare earths exports. In September 2010, the Chinese government weaponized its near-monopoly on rare earths, suspending Japan-bound shipments to punish Tokyo for a collision in the East China Sea between a Chinese trawler and a Japanese coast guard vessel. The incident was a turning point, galvanizing U.S. policymakers into thinking carefully about their dependency on Beijing.

Trump addressed those concerns by issuing Executive Order (EO) 13817, “A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals,” in December 2017. The EO was the first to task the Department of the Interior and other cabinet agencies with developing a draft list of “critical minerals” to be published in *The Federal Register*. Trump later built on those provisions via Executive Order 13953 (“Addressing the Threat to the Domestic Supply Chain from Reliance on Critical Minerals from Foreign Adversaries”) in September 2020. This second EO designated the U.S. dependency on imports from China specifically as a “national



emergency” and tasked the Secretaries of the Interior, Treasury, Defense, and Commerce to recommend actions for reducing supply chain vulnerabilities.

Meanwhile, in Congress, legislators passed the Energy Act of 2020, which Trump signed into law in December of that year. The Act directed federal agencies to cooperate with the U.S. Geological Survey (USGS) on identifying and listing critical minerals in a more formal catalog than the list initially published in the *Federal Register* under EO 13817 and lowered barriers to exploration, mining, development, and production of all listed minerals. Finally, Trump oversaw the re-opening of the United States’ only major domestic rare earths mine in Mountain Pass, California – though this outcome was not the direct result of his administration’s intervention.

Biden: The Biden administration’s critical mineral policies were similarly motivated by concerns about U.S. supply chain vulnerabilities following the widespread shortages caused by the COVID-19 pandemic. To insulate the U.S. from future shocks, Biden aimed to preserve most of Trump’s critical minerals policies while synthesizing them into a broader, “de-risking” agenda for strengthening supply chains across multiple strategic sectors.

The first and most significant of Biden’s critical mineral-related policies was Executive Order 14017 (“Executive Order on America’s Supply Chains”) issued in February 2021. This EO – which targeted not only critical minerals but also high-capacity batteries, pharmaceuticals, and semiconductors – instructed several cabinet departments to assess supply-chain risks and issue recommendations for addressing them in a “100 Day Review.” The review findings were published in a June 2021 report recommending more than 70 actions to promote resilience.

The Biden administration also supported several narrower measures – many of which were the outcome of Trump-era legislation. For example, Biden oversaw the U.S. Geological Survey’s (USGS) first three-year update to the Critical Minerals List created under the Energy Act. Published in February 2022, the revision was a major expansion of the initial catalog, with the USGS adding over a dozen new minerals. Furthermore, in August 2023, the Department of Energy published a separate Critical Materials List in the *Federal Register*. Using a different methodology, this list identified 16 minerals (and other non-mineral substances) with supply chain vulnerabilities. The creation of two lists was intended to provide robust protections from different cabinet agencies across a wider range of goods.

Implementation

Trump: Trump’s critical minerals policies were more narrowly scoped and assessment-oriented, empowering federal agencies to identify risks to U.S. critical minerals supply chains without imposing specific requirements for how potential vulnerabilities should be patched. Trump also preferred acting unilaterally over



coordinating with allies and partners. While Trump did pursue some international initiatives - including the 2018 Critical Minerals Mapping Initiative and the 2020 Energy Resource Governance Initiative - those programs tended to be deliberately smaller in scale and largely geared toward surveying and extraction.

A re-elected Trump would likely preserve most of the Biden-era critical minerals policies on identification, stockpiling, acquisition, and funding given that those policies built upon his first-term measures. However, a second Trump administration is unlikely to coordinate as extensively with international partners, and Trump may walk back critical minerals-related measures on environmental sustainability and trade cooperation that he may perceive as detrimental to U.S. domestic industries. While benefitting U.S. producers, Trump's approach could create challenges for foreign exporters and weaken the nascent, U.S.-led international effort to balance against China's dominance of the rare earths sector.

Perhaps the most important point of departure between a second Trump and a second Biden administration concerns how U.S. access to critical minerals could be affected by Beijing's response to U.S.-China strategic competition. Given Trump's campaign promise to levy 60 percent tariffs on all Chinese goods, a second Trump administration could initiate a new and unpredictable trade conflict with China. In such a volatile scenario, there could arise escalations that might result in Beijing being tempted to restrict or suspend certain critical mineral exports in retaliation for U.S. measures. China is currently threatening restrictions on sales of graphite, germanium and gallium if Japan further tightens its China-facing technology export controls. Options like these were available to China during the first Trump term, but Beijing apparently did not deem Trump's actions severe enough at the time to justify restrictive measures that could undercut some of China's own technology supply chains.

Biden: Biden's approach to implementation focused on expanding Trump-era policies by establishing mechanisms for public investment and international coordination. For example, in November 2021, Biden signed into law the Infrastructure and Jobs Act, which allocated USD 407 million to critical minerals extraction and related research activities. Similarly, the Bipartisan Infrastructure Law of August 2022 allocated USD 675 million to boosting domestic critical minerals production. Perhaps the most important of Biden's facilitation measures was the August 2022 Inflation Reduction Act. While the law's primary purpose was to provide tax incentives for the manufacturing and purchase of renewables, it also committed the U.S. government to increasing its supply of critical minerals needed to sustain the green energy transition.

Biden's approach also placed a greater focus on global critical minerals partnerships. During his first term, the Biden administration pursued or supported at least seven major bilateral and multilateral agreements with over a dozen



countries plus the European Union. In addition to establishing provisions for extraction, those initiatives reinforced measures for supply chain integration (via “friendshoring”), equitable mineral sourcing, and environmental stewardship. The most significant was the Minerals Security Partnership (MSP) created in June 2022 involving Japan, South Korea, Germany, France, and the EU, among others. The MSP critiqued China’s mining practices and has tried to balance against Beijing’s dominance of the rare earths trade.

A second Biden administration is unlikely to deviate from its current focus on refining systems and processes to address the critical minerals problem. Stakeholders should expect additional grants, programs, and other forms of support for surveying, mining, and prospecting from the Department of the Interior and the Department of Energy, as well as opportunities for economic engagement with counterparts in like-minded countries such as Canada, Japan, and Australia. Furthermore, downstream manufacturers that utilize critical minerals in their products – including EV and green technology developers – will benefit from implementation of the IRA and similar programs intended to boost domestic production and ease purchasing costs for consumers.

Other Watchpoints

- **Presidential advisors:** The tenor of future critical mineral-related policies will depend on the Secretaries of Energy, Interior, Commerce, and Defense. Biden could retain Jennifer Granholm, Deb Haaland, Gina Raimondo, and Lloyd Austin in those roles. Trump is likely to appoint advisers similar in outlook to Dan Brouillette, Ryan Zinke, Wilbur Ross, and Mark Esper.
- **The Congressional landscape:** Congress plays a key role in mobilizing funds and providing other forms of support for stockpiling and acquisition policies. Either a second Biden administration facing a Republican-led Congress or a re-elected Trump facing a Democrat-led Congress would face difficulty in deepening existing policy initiatives, especially if further action on critical minerals becomes linked to more contentious issues.
- **Other suppliers:** While China is the leading miner or refiner of most minerals on the U.S. 2022 Critical Minerals and 2023 Critical Materials Lists, Australia, Canada, the Democratic Republic of the Congo, and South Africa, among others, also make substantial contributions. Their policies on extraction, processing, and export will affect which minerals are deemed by Washington as “critical” and shape the tenor of U.S. coordination with those countries. China also aggressively invests in resource-producing countries, and its overseas activities merit careful monitoring.

This report was prepared by [Nick Ackert](#).



**This report was published prior to President Biden stepping down as the Democratic presidential candidate on July 21, 2024. A future Harris administration is likely to maintain the broad policy direction proposed by the Biden-Harris campaign.*