



**Testimony of Brian Somers
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House Committee on Natural Resources
Subcommittee on Energy and Mineral Resources
“Examining the Methodology and Structure of the
U.S. Geological Survey’s Critical Minerals List”
Wednesday, September 13, 2023**

Good morning, Chairman Stauber and members of the Committee. I appreciate the invitation to testify in today’s hearing. My name is Brian Somers and I am the president of the Utah Mining Association (UMA). UMA was founded in 1915 and represents Utah’s hardrock, coal, and industrial mineral mine operators and related support industries. UMA also works closely with the National Mining Association and other state and regional industry groups.

UMA’s mission is to advocate on behalf of Utah’s mining industry, its workers, and the communities they support. Mining is a critical industry in Utah, contributing \$7.7 billion to the state’s GDP, supporting nearly 57,000 direct and indirect jobs¹, and powering Utah’s broader economy by producing the coal which provides 62% of Utah’s low-priced electricity². Mining jobs in Utah are family- and community-sustaining jobs with mining salaries averaging 46% more than the average Utah wage³.

Since Utah’s first commercial mining district was established in 1863—33 years before Utah became a state—Utah’s mining industry has labored diligently to develop Utah’s vast mineral wealth and provide the mined commodities markets demand. I believe the fundamental reason a hearing like this—a discussion about how and why particular minerals have been deemed “critical”—is even necessary is due to interference by bad actors like China who seek to distort and control commodity markets, and by misguided regulatory burdens, policy decisions, and investment signals by the federal government.

¹ McCarty, T.J., Wang, Z., Kim, M., and Evans, J., 2022, The economic contribution of Utah’s energy and mining industries: Utah Geological Survey Miscellaneous Publication 176, 12 p., 4 appendices, <https://doi.org/10.34191/MP-176>

² <https://www.nei.org/resources/statistics/state-electricity-generation-fuel-shares>

³ <https://jobs.utah.gov/jsp/utalmis/#!/industry/list>

A recent report entitled “Critical Minerals of Utah” released by the Utah Geological Survey states, “The concept of critical minerals is not new, and in the United States various lists of commodities and definitions of what qualifies as critical have been developed since the early 1900s.”⁴ Again, the fact that a hearing like today’s is still necessary more than 100 years on is *prima facie* evidence that making lists—however methodologically sound—is not as useful as letting the diverse demands of free markets, environmental responsibility, operational efficiency, technological innovation, economic security, and national security determine which minerals are “critical” at any given time.

More simply, perhaps we could adopt the definition of criticality put forth by our friends at the National Mining Association (NMA), which is that, “...minerals that unavailable when we need them should be considered critical.”⁵

Utah provides an example of how, as NMA presciently observed in a comment letter on the original critical minerals list, “World events can redefine criticality in an amazingly short period of time.”⁶ A 2020 report from the Utah Geological Survey stated that Utah hosts 28 of the 35 minerals on the original critical minerals list and had active production of eight of them⁷. When the U.S. Geological Survey (USGS) released the revised critical minerals list in 2022, four of the eight critical minerals Utah was producing were removed from the list: uranium, potash, helium, and rhenium.

Just two days before the revised critical minerals list was published in the Federal Register, Russia invaded Ukraine. In the aftermath of the invasion, global prices for uranium spiked and remain at near-record highs⁸ as alternatives to uranium supplied by Russia and Russian-aligned countries are explored, especially in light of the greatly diminished capacity of the U.S.’ once thriving uranium mining, milling, and enrichment industries. Prices for potash also spiked after the invasion and have remained high given that Russia and Belarus account for 41% of global trade in potash⁹, with resulting negative effects on food supply and prices. Ongoing shortages and high prices for helium also continue, putting further strains on the global semiconductor shortage which began during the Covid pandemic as semiconductor manufacturing constitutes the second-largest use of helium worldwide¹⁰.

⁴ Mills, S.E., and Rupke, A., 2023, Critical minerals of Utah, second edition: Utah Geological Survey Circular 135, 47 p., <https://doi.org/10.34191/C-135>.

⁵ Sweeney, Katie. National Mining Association letter to Secretary of the Interior Ryan Zinke. 19 March 2018.

⁶ *ibid.*

⁷ Mills, S.E. and Rupke, A., 2020, Critical minerals of Utah: Utah Geological Survey Circular 129, 49 p., <https://doi.org/10.34191/C-129>. *The report notes that uranium was not produced from ores mined directly in Utah—despite proven reserves and significant historical production—but from the extraction of uranium from alternate feeds from out-of-state sources which were processed at the White Mesa uranium mill in Blanding, Utah.*

⁸ <https://tradingeconomics.com/commodity/uranium>

⁹ <https://www.ifpri.org/blog/russia-ukraine-war-after-year-impacts-fertilizer-production-prices-and-trade-flows>

¹⁰ <https://pubs.aip.org/physicstoday/article/76/9/18/2908156/Helium-prices-surge-to-record-levels-as-shortage>

Almost in real-time, world events were highlighting the criticality of uranium, potash, and helium as the USGS was downgrading their critical status. I should also note that Utah is home to the nation's last functioning conventional uranium mill and is the only state in the union which produces the higher-value sulphate of potash or SOP¹¹, which made the exclusion of uranium and potash from the revised critical minerals list especially puzzling to Utahns.

There are many other concerns and inconsistencies related to federal government's designation of critical minerals and its management of the nation's mineral estate which I hope we can discuss during committee questions. These include: Competing federal mineral and material criticality assessments such as the Department of Energy's Critical Materials List and the Defense Logistics Agency's National Defense Stockpile; the accelerated withdrawal of public lands from mineral production during the Biden Administration; implications of the fact that many minerals designated as critical are co-located and produced with other minerals which may not share a criticality designation; the severe diminishment of domestic mineral processing, smelting, refining, and other beneficiation capacity over the last few decades; and the federal government's byzantine and burdensome permitting processes which are far outside the norm of other allied countries with similar environmental and labor standards and which discourage capital investment.

Again, I urge the committee to consider the idea that any minerals that are unavailable when we need them should be considered critical. There are far too many minerals which are unnecessarily unavailable or constrained because we have neglected our nation's vast mineral resources, our highly trained mining workforce, and our unrivaled capacity for innovation.

Thank you, again, for the opportunity to testify, and I look forward to answering any questions.

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¹¹ Rupke, A., Mills, S.E., Vanden Berg, M.D., and Boden, T., 2023, Utah mining 2022—metals, industrial minerals, uranium, coal, and unconventional fuels: Utah Geological Survey Circular 136, 32 p., <https://doi.org/10.34191/C-136>.