

Presidential Determination Pursuant to
Section 101 of the Defense Production Act of
1950, as Amended, on Recoverable Critical Minerals and
Materials

Presidential Memoranda

July 30, 2026

MEMORANDUM FOR THE SECRETARY OF COMMERCE

SUBJECT: Presidential Determination Pursuant to Section 101
of the Defense Production Act of 1950, as Amended, on
Recoverable Critical Minerals and Materials

Section 1. Policy and General Findings. (a) Recoverable critical
minerals and materials (CMMs) are industrial resources necessary
to promote the national defense.

(b) America's inadequate supply of CMMs poses an increasing
risk to our national defense and security. The United States relies
heavily on imports of certain CMMs from foreign sources, and this
reliance threatens serious, sustained supply chain disruptions.

(c) It is imperative that the United States takes immediate action
to secure the supply of recoverable CMMs.

Sec. 2. Definitions. For the purposes of this determination:

(a) The term "recoverable critical minerals and materials" includes
black mass, end-of-life, rare-earth permanent magnets or other
goods that have fully completed the manufacturing process; swarf;
and other waste and scrap containing critical minerals and
materials. The term "recoverable critical minerals and materials"
does not include copper scrap, which is already covered under
Proclamation 10962 of July 30, 2025 (Adjusting Imports of Copper
Into the United States).

(b) The term “critical minerals and materials” includes minerals as defined in Executive Order 14241 of March 20, 2025 (Immediate Measures to Increase American Mineral Production); strategic and critical materials, as defined by 50 U.S.C. 98h-3; critical materials, as defined by section 7002(a)(2) of the Energy Act of 2020, Public Law 116-260, 134 Stat. 1182, 2562; and, notwithstanding Executive Order 13603 of March 16, 2012 (National Defense Resources Preparedness), any other mineral or material designated by the Secretary of Commerce.

Sec. 3. Ensuring an Adequate Supply of Recoverable CMMs. (a) By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 101 of the Defense Production Act of 1950, as amended (the “Act”) (50 U.S.C. 4511), I hereby find, pursuant to section 101 of the Act, that:

(i) recoverable CMMs are scarce and critical materials essential to the national defense; and

(ii) the requirements of the national defense for recoverable CMMs cannot otherwise be met without creating a significant dislocation of the normal distribution of such material in the civilian market to such a degree as to create appreciable hardship.

(b) You are authorized and directed to implement this determination by taking all appropriate action under section 101 of the Act pursuant to the authority delegated to the Secretary of Commerce in Executive Order 13603, including by issuing regulations, rules, guidance, and procedures, and to publish this determination in the *Federal Register*.

DONALD J. TRUMP