

ALERT

Commerce Initiates New Section 232s on Critical Minerals and Medium/Heavy Trucks

April 25, 2025

On April 23, the U.S. Department of Commerce (Commerce) announced its initiation of investigations into the national security effects of imports of critical minerals and medium/heavy trucks, parts for such goods, and their derivative products, under Section 232 of the Trade Expansion Act of 1962. The investigation into critical minerals follows an April 15, 2025 Executive Order directing Commerce to begin an investigation.

The investigation notices are scheduled to be published on April 25. Within 21 days of publication (May 16), interested parties may file comments with the agency regarding the national security effects of relevant imports and the actions that the Administration should take to counter such effects.

The new investigations follow recently announced and ongoing Section 232 investigations into imports of pharmaceuticals and semiconductors, as well as Section 232 tariffs announced earlier this year on aluminum and steel products, and passenger vehicles, light trucks, and certain automotive parts.

Critical Minerals Investigation

In the new investigation regarding critical minerals, Commerce is particularly interested in comments regarding:

- Identifying U.S. imports of all processed critical minerals and their derivative products;
- Foreign sources by percentage and volume of all processed critical mineral imports and derivative product imports, the specific types of risks that may be associated with each source

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by country, and those source countries deemed to be of significant risk;

- Analyses of the distortive effects of the predatory economic, pricing, and market manipulation strategies and practices used by countries that process critical minerals exported to the United States, including:
 - The distortive effects on domestic investment and the viability of U.S. production, and
 - An assessment of how such strategies and practices permit such countries to maintain their control over the critical minerals processing sector and distort U.S. market prices for derivative products;
- An analysis of the demand for processed critical minerals by manufacturers of derivative products in the United States and globally, including an assessment of the extent to which such manufacturers' demand for processed critical minerals originates from foreign countries;
- A review and risk assessment of global supply chains for processed critical minerals and their derivative products;
- An analysis of the current and potential capabilities of the United States to process critical minerals and their derivative products; and
- The dollar value of the current level of imports of all processed critical minerals and derivative products by total value and country of export.

For purposes of the investigation, critical minerals are defined as the following minerals, as well as any subsequently identified by the U.S. Department of Energy or the U.S. Geological Survey:

Gallium

Dysprosium

Praseodymium

Antimony

Tin

Zinc

Niobium

Aluminum

Cerium

Tantalum

Magnesium

Graphite

Neodymium

Fluorspar

Lanthanum

Hafnium

Germanium

Chromium

Ruthenium

Platinum

Bismuth

Tungsten

Palladium

Arsenic

Rhodium

Iridium

Yttrium

Vanadium

Titanium

Barite

Indium

Lithium

Beryllium

Erbium

Holmium

Scandium

Samarium

Tellurium

Zirconium

Europium

Lutetium

Terbium

Manganese

Nickel

Cesium

Gadolinium

Rubidium

Thulium

Cobalt

Ytterbium

Uranium

Promethium

The “derivative products” covered by the investigation are all goods that incorporate processed critical minerals as inputs, including “intermediate products” such as semiconductor wafers, anodes, and cathodes and “final products” such as permanent magnets, motors, electric vehicles, batteries, smartphones, microprocessors, radar systems, wind turbines and their components, and advanced optical devices.

Medium and Heavy-Duty Truck Investigation

The new investigation on medium and heavy-duty trucks covers trucks with a gross vehicle weight of more than 10,000 pounds. Covered parts include engines and engine parts, transmissions and powertrain parts, and electrical components for trucks with a gross vehicle weight of more than 10,000 pounds. Commerce is particularly interested in comments on:

- Current and projected U.S. demand for covered trucks and truck parts;

- The extent to which domestic production can meet domestic demand;
- The role of foreign supply chains, particularly of major exporters, in meeting U.S. demand for covered trucks parts;
- The concentration of U.S. imports of trucks and truck parts from a small number of suppliers and the associated risks of concentrated supply;
- The impact of foreign government subsidies and predatory trade practices on the competitiveness of the U.S. medium- and heavy-duty truck industry;
- The economic impact of artificially suppressed prices of trucks and truck parts due to foreign unfair trade practices and state-sponsored overproduction;
- Potential export restrictions imposed by foreign countries, including those countries' ability to weaponize their control over supplies of trucks and truck parts;
- The feasibility of increasing domestic capacity for trucks and truck parts to reduce import reliance;
- The impact of current trade policies on domestic production of trucks and truck parts; and
- Whether additional measures, including tariffs or quotas, are necessary to protect national security.

Comments in the investigations must be filed on the dockets established for each. Business confidential information may be submitted, but it must be appropriately marked in accordance with Commerce's instructions.

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