Erik G. Milito
President

NATIONAL OCEAN INDUSTRIES ASSOCIATION

1201 Pennsylvania Ave, NW
Suite 530
Washington, D.C. 20004
202-347-6900
www.noia.org

July 23, 2026

Bureau of Ocean Energy Management
Office of Strategic Resources
Marine Minerals Division
45600 Woodland Road
Sterling, VA 20166

Subject: Comments of the National Ocean Industries Association in response to the request for information and interest – commercial leasing for outer continental shelf minerals offshore the Commonwealth of Virginia

Marine Minerals Division, Office of Strategic Resources:

Thank you for the opportunity to provide comments in response to the request for information and interest for commercial leasing for outer continental shelf (OCS) minerals offshore the Commonwealth of Virginia. The National Ocean Industries Association represents companies investing in the commercial development and production of critical minerals and rare earth elements from the seabed in U.S. and international waters. There is vast potential to safely secure massive amounts of critical minerals and rare earth elements in offshore areas. We are encouraged by the U.S. Department of the Interior's efforts to move forward, consistent with the President's executive orders, with offshore leasing on the U.S. outer continental shelf, and specifically offshore Virginia.

For more than 50 years, NOIA has represented the interests of all segments of the offshore energy industry, including offshore oil and gas, ocean minerals, and offshore carbon sequestration. Our membership includes energy project developers, leaseholders, operators, and companies throughout the entire supply chain that make up an innovative ecosystem contributing to the safe and responsible exploration, development, and production of energy and mineral resources.

Given the economic and national security interests at stake, it is vitally important that we move swiftly to advance policies and authorize activities that enable long-term U.S. leadership in ocean mineral exploration, development, and processing. In the global economy, regulatory uncertainty across any business sector can inevitably push investment to other regions of the world. This is particularly true for an emerging industry like ocean mineral exploration. U.S. companies, already developing world-class mapping, robotics, and environmental technologies, are encouraged by the Administration's steps to advance ocean exploration opportunities. We need to work together to build a durable framework for sanctioning projects so we can avoid losing that investment to other regions, thereby risking the permanent offshoring of intellectual property and high-value jobs – and further ceding control of the global critical mineral and rare earth element market to China.

The advancement of the domestic ocean mineral exploration and production industry will support American prosperity through capital investment, job creation, manufacturing, technology leadership, and economic and national security. Moreover, these benefits will be felt well beyond any development of the resources of a potential lease block itself. Standing up a domestic ocean minerals sector means sustained work for marine scientists, subsea engineers, naval architects, shipyard welders, port operators, and logistics providers across the maritime supply chain, supporting and strengthening America's broader maritime strategic capabilities.

For Virginia in particular, this represents an opportunity to further leverage the Commonwealth's world-class maritime assets, including its ports, shipyards, marine services sector, and skilled workforce, generating new investment, jobs, and economic activity while reinforcing the region's position as a leader in the U.S. maritime economy.

The Trump Administration has maintained a laser focus on promoting U.S. leadership in the procurement of critical minerals, including through offshore mineral exploration. On December 20, 2017, President Trump signed Executive Order 13817, "A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals," with the goal of reducing the nation's vulnerability to disruptions in the supply of critical minerals[1]. On September 30, 2020, President Trump signed Executive Order 13953, "Addressing the Threat to the Domestic Supply Chain From Reliance on Critical Minerals From Foreign Adversaries and Supporting the Domestic Mining and Processing Industries," which makes it the policy of the U.S. to "prioritize the expansion and protection of the domestic supply chain for minerals and the establishment of secure critical minerals supply chains." This Executive Order further directs federal agencies to allocate their resources to fulfill these purposes[2].

On January 20, 2025, President Trump signed Executive Order 14156, "Declaring a National Energy Emergency," directing federal agencies to "facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy resources," including critical minerals[3]. Finally, on April 24, 2025, President Trump took action specific to offshore mineral exploration, issuing Executive Order 14285, "Unleashing America's Offshore Critical Minerals and Resources," framing offshore and seabed critical minerals as vital to U.S. national security, economic strength, and supply chain resilience[4]. This E.O. emphasizes the critical importance of reducing dependence on foreign adversaries – particularly China – for strategic minerals used in defense, technology, and clean energy.

---

[1] https://www.federalregister.gov/documents/2017/12/26/2017-27899/a-federal-strategy-to-ensure-secure-and-reliable-supplies-of-critical-minerals

[2] https://www.federalregister.gov/documents/2020/10/05/2020-22064/addressing-the-threat-to-the-domestic-supply-chain-from-reliance-on-critical-minerals-from-foreign

[3] https://www.federalregister.gov/documents/2025/01/29/2025-02003/declaring-a-national-energy-emergency

[4] https://www.whitehouse.gov/presidential-actions/2025/04/unleashing-americas-offshore-critical-minerals-and-resources/

An essential part of the strategy for U.S. dominance in ocean minerals development is the advancement of lease sales to secure the offshore acreage required for the exploration, development, and production of critical minerals and rare earth elements. The Bureau of Ocean Energy Management (BOEM) has taken strong action in furtherance of this objective by initiating the necessary steps for leasing offshore American Samoa, the Commonwealth of the Northern Mariana Islands, Alaska, and Virginia. The industry is well-positioned to engage in commercial operations for the exploration and production of critical minerals and rare earth elements across all regions of the OCS and beyond. In order to gain a competitive lead in the global competition for offshore critical mineral development, the U.S. must move with urgency in the leasing and permitting so that capital investment will flow to project development.

As described by Daniel Yergin, Peter Orzag, and Atul Arya in the March/April 2025 volume of *Foreign Affairs*, "China already has a dominant position in mining and predominant position in processing of minerals into metals essential for renewable energy infrastructure. It accounts for over 60 percent of the world's rare-earth mining production (compare with nine percent for the United States) and more than 90 percent of the processing and refining of rare earths. It produces 77 percent of the world's graphite, processes 98 percent of it, and processes over 70 percent of the world's lithium and cobalt and almost half of the copper." While China's lead in the land-based mining and processing is clear – it does not currently lead in deep sea mineral development – this is the opportunity that exists for the U.S. today through the encouragement and support for this emerging industry and our own American companies. The President has made clear the urgency of addressing this increasingly dire situation. The U.S. OCS and the high seas provide major opportunities for our country to prospect for and develop the critical minerals that we will need for decades to come, compete on the global scale, and ensure our long-term national security. Every bit of resource that the U.S. mines or extracts and processes at home means less of a need to source through a supply chain that China can restrict, tax, or cut off on short notice by export ban, as it already has done with rare earth export controls this year[5]. Scaling up domestic ocean mineral production also addresses the other side of the China problem: processing. Investment in new domestic refining and separation capacity has historically stalled in part because processed have lacked a reliable, non-Chinese-controlled source of ore to run through it. A steady offshore supply changes that calculus and should make the economics of new processing facilities more attractive, so BOEM's leasing decisions should be aware of the benefits of a midstream buildout, not just the extraction of resources that feed it[6].

America's offshore energy industry has decades of experience working in the marine environment, in deep water conditions, to safely and responsibly produce the energy required to fuel America and our allies. Our industry is made up of leading innovators,

[5] https://www.reuters.com/world/asia-pacific/china-targets-us-rare-earth-other-firms-with-export-controls-2026-06-22/

[6] https://www.rand.org/pubs/commentary/2025/09/the-missing-piece-minerals-processing-and-deep-sea.html

focusing on cutting-edge technologies, including artificial intelligence, data analytics, subsea robotics, modern geophysical mapping, and the advancement of incredible technologies to solve the greatest energy, and now mineral, challenges. Keeping that edge in ocean science and marine technology at home, rather than watching it migrate to competitors, is itself a strategic asset: it keeps the engineering talent, intellectual property, and research capacity behind these breakthroughs based in the United States.

From our experience, offshore safety has also been enhanced through modern geosciences, leading-edge engineering design, improved subsea and remote technologies, shared best practices, and innovative safety systems. We continuously improve the safety and environmental performance of our operations so that our workers and communities are protected and that our environmental footprint continues to decrease. Our offshore industry is well-suited for the challenges of ocean mineral exploration and development so that the U.S. can better achieve its goals of reducing dependency on China and other adversaries for supplies of critical minerals.

A lease sale offshore Virginia, and continued, periodic leasing throughout the OCS will help catapult the U.S. to global leadership in offshore critical mineral development. The federal regulatory regime must provide open access to exploration, regulatory certainty, and security of tenure for qualified companies satisfactorily executing permitted activities. Offshore leasing should further include clearly defined, reasonable, and cost-effective lease terms, conditions, and timelines; transparent lease sale processes; and revisions to overly broad protected designations applied to unmapped or unexplored areas of the OCS that unnecessarily restrict access.

NOIA and its members stand ready to work with the U.S. Department of the Interior and the Administration to advance our common objective of securing critical mineral supplies for the U.S. economy. Please contact Erik Milito (milito@noia.org) with any follow-up questions or to set up a meeting.

Very respectfully,