

Congress of the United States
Washington, DC 20515

June 17, 2019

The Honorable Robert E. Lighthizer
U.S. Trade Representative
600 17th Street, NW
Washington, DC 20006

Dear Ambassador Lighthizer:

We understand that your office is again considering placing tariffs on vital American energy production safety components currently imported from China: both ground barite and unground barite (interchangeably referred to also as barytes). Barite was previously removed from the Section 301 tariff “200 List” in September 2018. We urge you to again remove barite from the list of proposed tariffs because: (1) barite is designated as a critical mineral by the Department of Interior, and thus, pursuant to the express language in the U.S. Trade Representative’s (“USTR”) May 17, 2019 Federal Register Notice, is to be an excluded product; and (2) for the reasons stated in previous Section 301 proceedings, barite remains vitally important for our nation’s energy security.

First, USTR’s proposed list published on May 17, 2019 specifically excludes “... rare earth materials, and *critical minerals*.” On May 18, 2018, pursuant to President Trump’s Executive Order 13795, the U.S. Department of Interior declared barite to be one of thirty-five minerals deemed critical to U.S. national security and the economy. The proposed list excludes the other thirty-four identified critical minerals. Consequently, barite should be excluded from this list, as well.

Second, it is our understanding that no other country produces enough barite in quantities sufficient to replace Chinese barite sources. Therefore, a tariff on Chinese barite will increase the cost of U.S. energy production, reducing the competitiveness of our U.S. energy producers while increasing the price of energy for American consumers.

Lastly, we believe the inclusion of barite on the fourth list of goods is contrary to U.S. energy policy as stated by this Administration. In particular, the President’s Executive Order of March 28, 2017 instructs agencies to avoid regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation. Removing barite from the Section 301 tariff list is consistent with commitments made by this Administration to promote America’s energy industry.

We thank you for your timely consideration of this important matter.

Sincerely,



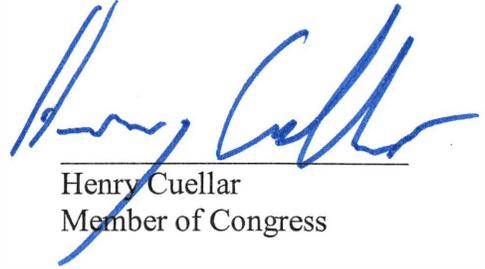
Michael Cloud
Member of Congress



Randy K. Weber
Member of Congress



Vicente Gonzalez
Member of Congress



Henry Cuellar
Member of Congress



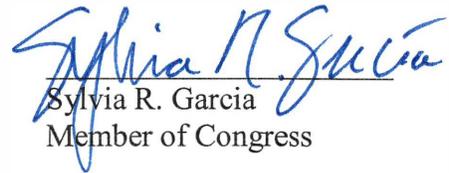
Clay Higgins
Member of Congress



David B. McKinley, P.E.
Member of Congress



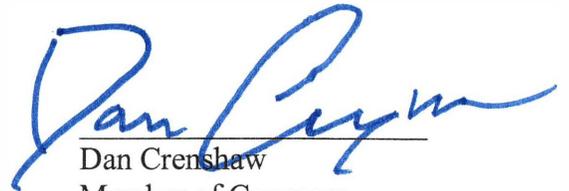
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