

January 2024 Newsletter Update

Welcome to the newest edition of the American Critical Minerals Association's newsletter, which highlights the latest news and policy developments around the continued efforts to strengthen and build out the U.S. critical minerals supply chain. We hope you find this to be an informative resource.

Let us know what you think: For general inquiries to learn more about ACMA or suggestions for future content, you may reach us at info@critical-minerals.us.

WASHINGTON UPDATE

Recent efforts in Washington were focused on keeping the government open, culminating with passage of legislation to fund the government through early March. Notably, Sen. John Cornyn (R-TX) introduced a bill to secure critical mineral supply chains to counter Chinese dominance in the industry. However, issues related to critical minerals continued to permeate the policy agenda within the Biden administration and on Capitol Hill, as underscored by the Treasury Department's release of draft "foreign entity of concern" regulations pertaining to clean vehicle tax credits and the introduction of bipartisan Senate legislation designed to bolster the U.S. critical mineral supply chain.

ACMA IN THE NEWS

I. ACMA Submits Letter on FEOC Proposed Rule

ACMA Submits Letter on FEOC Proposed Rule: ACMA on Jan. 19 <u>submitted</u> comments to the Department of the Treasury and Internal Revenue Service (IRS) on the "foreign entity of concern" proposed rule concerning the clean vehicle credit in the Inflation Reduction Act. ACMA stated that final guidance should provide certainty for investors in the capacity build-out of U.S. production of critical minerals and ensure the efficient and timely allocation of credits in a manner than rapidly enables enhanced U.S. critical mineral

processing, refining, and recycling capacity. Additionally, ACMA urged the Treasury Department to bolster the U.S. battery manufacturing supply chain to reduce reliance on China. Read the full letter here.

POLICY DEVELOPMENTS

- I. NDAA Legislation Requires DOD Report on Seabed Minerals
- II. Lawmakers Urge Defense Secretary Lloyd Austin to Address Chinese Seabed Mining
- III. Cornyn, Colleagues Introduce Bill to Secure Critical Mineral Supply Chains, Counter Chinese Dominance
- IV. Senate Energy and Natural Resources Committee Holds Hearing on EV Tax Credits
- V. Biden-Harris Administration and BAE Systems, Inc., Announce CHIPS Preliminary Terms to Support Critical U.S. National Security Project in Nashua, New Hampshire VI. Norway Moves to Allow Seabed Mining Exploration
- I. NDAA Legislation Requires DOD Report on Seabed Minerals: Following the passage of the FY24 National Defense Authorization Act (NDAA) in December, the Assistant Secretary of Defense for Industrial Base Policy has been directed to submit a report on the domestic processing of seafloor polymetallic nodules by March 1, 2024 to the U.S. House Armed Services Committee. The report must include a review of current resources and controlling parties in securing polymetallic nodules, an assessment on the current state of deep-sea mining technology capabilities, and recommendations for the U.S. to harness its domestic production of critical minerals in deep sea mining to reduce reliance on sourcing from foreign adversaries.
- **II.** Lawmakers Urge Defense Secretary Lloyd Austin to Address Chinese Seabed Mining: Rep. Elise Stefanik (R-NY), Rep. Rob Wittman (R-VA) and 30 other members of Congress on Dec. 7 sent a letter to the Secretary of Defense Lloyd J. Austin urging the U.S. Department of Defense to formulate a national security plan addressing China's growing involvement in seabed mining. In stressing the need to prevent China from exploiting seabed resources and for the Department of Defense to engage allies, partners and industry to avoid such an outcome, the lawmakers sought responses on the national security impact of deep sea mining, including with regard to U.S. access to deep sea polymetallic nodules and related domestic processing.
- III. Cornyn, Colleagues Introduce Bill to Secure Critical Mineral Supply Chains,
 Counter Chinese Dominance: U.S. Senators John Cornyn (R-TX), Mark Warner (D-VA),
 Todd Young (R-IN), Angus King (I-ME), and James Lankford (R-OK) on Jan. 18 introduced
 S. 3631, the Critical Minerals Security Act in an effort to counter Chinese industry
 dominance and secure the U.S. critical mineral supply chain. The bill, if passed, directs the
 U.S. Department of the Interior to analyze the global supply of critical minerals and create
 a process to help U.S. companies divest their critical minerals operations from foreign
 countries. Additionally, the bill includes language for developing a process to partner with

U.S. allies and partners to share information regarding standards for mining and processing technologies...

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