



October 19, 2026

Honorable Richard Neal (D-MA)
Ways and Means Committee
U.S. House of Representatives
1129 Longworth House Office Building
Washington D.C. 20515

Re: House Committee on Ways and Means full committee hearing — “Strategic Partnerships to Secure Critical Resources and Supply Chains” held on Sept. 2, 2026

Dear Chairman Neal,

My written responses to the questions for the record are as follows:

Public Financing:

- **Public Citizen’s report describes billions of dollars in taxpayer-backed financing being deployed through agencies including the Export-Import Bank of the United States (EXIM), the U.S. International Development Finance Corporation (DFC), the Department of Defense, and the Department of Energy (DOE).**
 - **What safeguards should Congress establish to ensure that public financing advances U.S. national security and economic interests rather than primarily benefiting individual companies or investors?**

Congress should exercise its oversight authority before taxpayer money is committed, not only after a project fails. Guardrails must be written into appropriations, authorizing bills, and congressional review requirements. Public financing should meet a demonstrated supply-chain need and serve a clear public purpose — not simply shift risk from private investors to taxpayers. Congress should review the trade agreements, memoranda of understanding (MOUs), and frameworks behind major financing commitments. Even when those instruments are called “nonbinding,” they can lead to project pipelines, loans, and equity stakes.

Congress should require agencies to publish their eligibility criteria, use competitive selection where feasible, and explain any sole-source or directly negotiated award. They should disclose financing terms and taxpayer exposure.

Congress should also require strong conflict-of-interest rules for officials making these decisions, including meaningful restrictions on the revolving door between federal financing agencies and the investment firms seeking to benefit. Appropriations and authorizing legislation should require regular reporting to the committees of jurisdiction and independent Inspector General reviews.

Earlier this year, the U.S. Export-Import Bank (EXIM) launched Project Vault, the Administration's \$12 billion public-private financed critical minerals stockpile. The Congressional Research Service has already noted that Project Vault has [not been authorized](#) by Congress, and there are significant questions about its due diligence, transparency, and effectiveness. The reauthorization of the EXIM Bank this year is an important opportunity for Congress to implement stronger governance structures to prevent corruption and establish financial guardrails.

All public financing should protect the people who bear a project's risks. Workers, Indigenous Peoples, and other affected frontline communities need a meaningful voice before decisions are made and an opportunity for input throughout the process. Federal support should be conditioned on binding requirements and thorough Environmental and Social Impact Assessments (ESIA) at the mine or facility level for labor rights, human rights, environmental protection, and community participation, including explicit protections for human rights defenders. Standards should draw on those included in the Initiative for Responsible Mining Assurance (IRMA), the International Labour Organization (ILO), and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Finally, there must be swift and certain consequences for mining companies if those standards are violated. Those could include binding project-, facility-, or community-level requirements and financial consequences for noncompliance. General promises and statements of intent in an agreement are not enough, and national security arguments do not justify weakened safeguards or transparency measures.

Congress must fulfill its oversight duty. Public Citizen's recent reports, [The Trump Administration's Many Tools for Seizing Critical Minerals Abroad](#), [Mining Billions in the Dark](#), and [The Secretive Commodity Traders Profiting from Trump's Critical Minerals Agenda](#), document multiple potential investor conflicts of interest in the administration's minerals deals and project financing. Congress should examine those concerns before more public money is committed, not wait until taxpayers or communities are left with the cost burdens.

- **What minimum transparency, conflict-of-interest, and taxpayer-protection requirements should apply when federal agencies provide direct loans, loan guarantees, equity investments, or other financial support for critical minerals projects?**

The mere designation of a given mineral as “critical” is insufficient justification for taxpayer expense. Funding agencies should have to make a clear, publicly documented case for why the project benefits the public interest. This should include an explicit explanation of the vulnerability it addresses, why federal support is necessary, and what measurable benefits taxpayers receive. Before an agency commits public money to a critical minerals project, Congress and the public should be able to see the full terms of the deal. That means the full agreement and knowing who owns, controls, and invests in the project, including its beneficial owners. The disclosure should cover the amount and type of federal support, the collateral, how much private capital is invested alongside federal funds, and who absorbs the losses if the project fails. It also means public access to any annexes or side agreements. All of this should be gathered in one public database covering every agency’s critical minerals commitments. Agencies should report regularly to the congressional committees of jurisdiction on disbursements, due diligence, timelines, expected returns, and any defaults or losses.

Agencies should also engage in their own due diligence and screen for conflicts of interest before approving support. Agencies should explain how projects are selected, consider competing options where feasible, and justify any award made. Each agency should verify a recipient’s eligibility and ownership, financial condition, credit or investment risks, technical ability to deliver, and track record, including strong adherence to ethics, environmental, and social-performance standards. Conflict-of-interest reviews should cover senior officials, their family members, major donors, and others closely tied to decision-makers. Ethics agreements and recusals should be public, and special government employees should be held to the same disclosure and recusal rules as other officials. Officials moving between these agencies and the investment firms seeking their support should face meaningful restrictions.

Unfortunately, the Trump administration has moved increasingly away from transparency and disclosure: a March 2025 executive order waived certain SEC disclosure requirements for federally backed projects, including a requirement that publicly traded companies show a mine can actually make money. Congress should introduce legislation to block or limit that order.

Equity investments call for extra scrutiny because taxpayers share directly in any losses, not just the risk that a loan goes unpaid. Equity should therefore be an exceptional tool, and justification should be provided for why existing tools such as loans, loan guarantees, and other assistance cannot meet the need as a prerequisite. Congress should be provided an independent valuation for each stake, a clear explanation of what the public gets for its ownership, and a plan for keeping the government’s role as an investor separate from its role as owner/shareholder, regulator, and permitting authority (including of private competitors), lender/guarantor, customer/buyer, and so on.

Taxpayer support should be conditioned on enforceable commitments on labor and human rights, environmental protection, community engagement, and a funded plan for closure and cleanup.

Taxpayers also need protection from carrying the downside while private investors keep the upside. Private investors should have to retain meaningful financial risk, without risk being moved onto taxpayers. Loans should be backed by sufficient collateral, and agencies should be able to recover funds (clawback) when companies do not meet their commitments.

EXIM's Project Vault is a key example of why stronger oversight is needed. EXIM approved a direct loan of up to \$10 billion to set up a U.S. Strategic Critical Minerals Reserve, operating as VaultCo, in partnership with another \$2 billion in private capital whose sources have not been fully disclosed. EXIM describes VaultCo as an *independently* governed public-private partnership in which participating manufacturers make long-term commitments and pay fees. However, despite the massive taxpayer contribution, basic governance information is still undisclosed. The public does not know who sits on VaultCo's board, what affiliations or financial interests those members have, or what rules govern conflicts of interest. This omission is hugely concerning because EXIM President and Chairman John Jovanovic previously served as Investment Director at one of the companies selected to [source material](#) for Project Vault. The public also still does not know which manufacturers, traders, and suppliers are participating, how purchase prices and fees are set, who controls buying and selling decisions, or who absorbs the losses if mineral prices fall. Reporting about [commodity traders](#) from Public Citizen shows that politically connected investors and firms stand to benefit. Without full public disclosure of the reserve's participants, governance, pricing, fees, and risk-sharing terms, neither the public nor Congress can judge whether EXIM and Project Vault are protecting U.S. supply chains or subsidizing and enriching private investors.

Value Addition:

- **What does a win-win critical minerals partnership look like for the United States and a resource-rich partner country, particularly when the goal is to build resilient supply chains rather than simply secure access to raw materials?**

In a win-win partnership, both sides build capacity. It is not one side securing access to the other's raw materials. Supply chains are more resilient over the long term when partner countries have a stake in them. That means respecting partners' development strategies and industrial policies and allowing local processing and beneficiation to create jobs in higher value chain segments like refining, processing, and manufacturing, not just raw-material extraction. The goal should be value addition in both the partner country and the United States. These partnerships should recognize the right of countries to

benefit from their natural resources while strengthening standards on labor, human rights, and the environment. The United States can help promote value-chain addition by directly supporting technology transfer and financing higher-value processes.

Deals negotiated under this administration lock resource-rich countries into exporting raw commodities. For instance, some of the Agreements on Reciprocal Trade (ARTs) bar export bans, quotas, and requirements to process domestically. That undercuts the same kind of industrial strategy the United States once used to build its own industries. There must also be real two-way commitments. We cannot have a host of binding obligations on their side and only nonbinding statements of “intent” on ours. Congress should reject deals asserting U.S. dominance rather than mutual development. Deals signed under pressure or negotiated under duress are fragile, breed resentment, and are likely to lead to backlash or withdrawal. Trust, once broken, may not be easily repaired, and countries will find other, more reliable partners to do business with.

- **How important is it for these partnerships to build in-country capacity for processing, refining, manufacturing, infrastructure, and good jobs, rather than focusing primarily on extraction and export of raw minerals?**

It’s essential. Our partnerships should focus on helping to build in-country capacity by allowing industrial policies that support capacity development and greater value addition, rather than locking them into a raw-material supplier role. For example, a report by the Resource Justice Network estimated that African countries could boost their combined GDP by \$24 billion annually and create 2.3 million jobs with the right industrial policies in the critical minerals sector. However, a central problem is that African countries are largely locked into the role of extracting raw minerals for export and excluded from more lucrative downstream segments of mineral value chains. Unfortunately, deals like the U.S.–DRC Strategic Partnership Agreement effectively prevent the country from developing higher-value industries by giving U.S. companies priority access to certain minerals and directing them to the U.S. market. A better partnership would support efforts that promote technology transfer and build the partner’s practical know-how needed to process minerals or manufacture products, and prioritize U.S. investment and financing in facilities and infrastructure to use that technology and build those higher value chain segments.

Indonesia, for instance, has relied on industrial policies restricting raw ore exports and requiring domestic processing, which has led to large gains by shifting from low-value ore to higher-value refined and semi-finished exports. Unfortunately, the Trump administration’s ART with Indonesia undermines these accomplishments by narrowing the ability to impose restrictions on exports of industrial commodities such as critical minerals to the United States. The Malaysia ART requires a similar commitment. These provisions directly undercut partners’ policy tools to encourage domestic processing and

other value-addition opportunities. At a minimum, trade agreements like the ARTs should not undermine our partners' ability to build capacity and wealth around their own mineral industries by forcing countries to give up policies that support local processing, refining, and manufacturing.

The United States should approach these partnerships as joint industrial policy to create good jobs in all countries in the supply chain for clean energy technologies. The U.S. must also uphold high standards for communities, labor, and the environment. Mining and processing minerals is hazardous work, often conducted by marginalized sections of society, including children. Any deals with these countries should include strong, enforceable facility-level and community provisions that protect workers' rights, health and safety, and the environment.

- **What policies can the United States use to encourage greater local value creation, and how could that approach strengthen economic resilience, regional stability, and the security of U.S. supply chains?**

Raising local value creation increases partners' processing capacity, improves job quality and quantity, and deepens economic benefits and wealth creation in partner countries. Over the long term, building local industry rather than limiting countries to ore exports helps diversify and deepen their economies, building resilience. Improving the quality of jobs and giving workers and affected communities a real voice in projects strengthens local and regional stability. Our partners having stronger and more diversified economies improves our security by reducing our exposure to instability, volatility, and supply chain disruptions. In short, the United States is stronger when our partners are better off.

For these reasons, the United States should stop undermining local value creation. It should drop provisions in ARTs and in deals like the SPA that undermine export restrictions, quotas, and domestic processing requirements, and stop requiring changes to mining codes, tax laws, or constitutions to favor U.S. investors. The United States should model future mineral demand and use that modeling to guide supply chain investments. Those investments should be coupled with strong environmental, social, job creation, and human rights standards to deliver supply chain security, clean energy, and real local benefits.

U.S. policies in the minerals sector should encourage U.S. taxpayer-backed financing through agencies such as DFC and EXIM, and the Departments of Defense and Energy, to prioritize projects that support higher value addition in partner countries, such as processing, refining, and recycling, rather than just raw materials extraction and transport. Funding should also be conditional on measures that support greater local value creation and community development, such as local hiring, training, technology transfer, and other local investment. These policies to encourage local value creation must also

include environmental safeguards to ensure that impacted communities are not harmed by mining processes. At a minimum, project financing agreements should require environmental impact assessments, Indigenous and/or community consent, job creation provisions, and community benefit agreements before projects move forward. They should also require guarantees that taxpayers and local communities do not shoulder environmental costs and cleanup burdens.

While some of the trade agreements mention the need to implement environmental standards, the language is largely hortatory and lacks meaningful enforcement. We know from past trade deals that environmental chapters do nothing to protect the environment nor stem environmental arbitrage without swift and certain enforcement mechanisms. None of the critical minerals agreements we reviewed have project-specific, enforceable environmental safeguards — a particularly concerning omission in an industry responsible for widespread environmental harms.

Partnerships:

- **You have expressed concern about the use of tariffs and geopolitical pressure in negotiating critical minerals agreements. How should the United States use its trade leverage to diversify critical mineral supply chains while avoiding the forms of economic coercion that we criticize when other countries use them?**

The United States should start with a coherent minerals strategy. That means clear, demand-based analyses of which minerals we need and for what purpose, instead of an open-ended grab for resources with no defined goal. That strategy should also reduce demand through recycling, recovery, and more efficient use. Once we know what we need, we can decide what can be achieved through domestic mining and processing and which international partnerships abroad make the most sense.

Those partnerships should benefit both sides. They should use local-content rules, rules of origin, and other measures to make sure mineral wealth supports sustainable development and good jobs in resource-rich countries. Proposed projects should also undergo social, human rights, and environmental impact assessments before moving forward.

The United States has real leverage and should use it as an incentive, not a threat. Access to the U.S. market is a strong reason for partners to adopt high labor, environmental, and transparency standards. Foreign aid and market access should never be used as bargaining chips for minerals. Unfortunately, we've seen that coercive approach multiple times in this administration. It [reportedly](#) tied HIV assistance in Zambia to mineral access. It pressed the DRC to open a secret reserve of mineral assets to U.S. investors and to change its laws and constitution. And it used agreements such as the Indonesia and

Malaysia deals to limit partners' value-added domestic processing policies. Deals made under coercion are simply not durable or sustainable. For example, Malaysia signed its ART under the threat of steep U.S. tariffs. But after the Supreme Court struck down those IEEPA tariffs, Malaysia announced that its agreement was null and void. The United States cannot credibly criticize China's economic coercion or extractive practices while adopting a similar playbook. Coercion leaves an opening for adversaries to offer a better deal. Leading by example means raising global standards, not dragging them down.

This should not be zero-sum. No single country can build a resilient minerals supply chain alone. The United States should work with a broad range of partners and be open to joint industrial strategies that support good jobs across the entire supply chain, in the United States and abroad. A transparent and inclusive process is essential. Agreements negotiated transparently, with input from workers, civil society, and affected communities in both countries and with meaningful congressional review, are far more likely to produce fairer and more durable deals than those signed under coercion.

- **Given China's dominant position across several critical-mineral supply chains, what should a sustainable United States-led alternative look like? Should the United States prioritize bilateral mineral agreements, a broader coalition of trusted trading partners, or a multilateral framework that establishes common rules on market access, export restrictions, labor and environmental standards, transparency, and investment?**

Diverse, reliable, and adaptable supply chains are essential for many of the goods that underpin U.S. national and economic security. China's dominance in several critical mineral supply chains is real, but the answer is not to copy the same objectionable tactics. When the United States relies on coercion, it undermines U.S. standing and credibility and leaves an opening for China to offer resource-rich countries a better deal.

The structure of an agreement matters less than the approach behind it. A bilateral, plurilateral, or multilateral agreement can be extractive and opaque, or it can be fair, transparent, and built on high standards. So far, the Administration's approach has relied mostly on asymmetric bilateral deals, and the countries in the weakest bargaining positions have generally given up the most. A durable alternative should respect partners' development goals, including their ability to promote local processing and value addition. It should include enforceable labor, environmental, and human rights standards, invest in recycling and recovery, and support good jobs across the supply chain in the United States and in partner countries.

The United States should support regional economic integration efforts, such as the African Continental Free Trade Area and the East African Community, instead of pulling individual, less powerful countries into separate deals on U.S. terms. Working with

regional blocs and a broad coalition of partners can build more resilient supply chains and give individual countries a stronger collective voice.

Whatever form these arrangements take, they should be negotiated transparently, with meaningful participation from workers, civil society, and affected communities, and subject to congressional review and approval.

- **As the United States develops these partnerships, how should it ensure that transparency and responsible sourcing are built into the framework from the outset? The OECD has emphasized that traceability alone is not sufficient and must be paired with risk-based due diligence and credible verification. In practice, where should accountability rest among governments, mining companies, refiners, and downstream purchasers, and what consequences should follow when agreed labor or transparency standards are not met?**

Transparency and responsible sourcing have to be built in from the start of negotiations, not tacked on once deals are signed. Governments should establish and enforce transparency, anti-corruption, environmental, labor, and civic space requirements. Negotiators should publish proposed texts, open them to public comment, and release updated drafts as talks progress, as agencies do when they write new rules. Workers, civil society, and affected communities in both the United States and partner countries should have a real role in shaping the agreements. There should be no secret negotiations and no secret deals. Every concluded agreement should be published in full, including annexes, side letters, and asset lists, in a single public database, and should be subject to congressional review and approval. Right now, the Administration offers no central list of its minerals deals, and most critical minerals deals are only announced, and access to the full text is occasional and limited.

The same transparency and disclosure should apply to the terms of each project financing deal. The public should be able to see which companies benefit, who owns them, what financing and public guarantees support them, and what contracts, royalties, and revenues are involved. Accountability should run along the whole supply chain, and no participant should be able to pass the buck to someone else.

Credible verification requires traceability from mine to market, paired with risk-based due diligence by miners, refiners, and buyers, and with independent third-party audits whose findings are made public. Mining companies should identify and address risks at the mine site, including harms to workers, land, water, and nearby communities, and should set aside money for closure and cleanup. The mining companies must accept responsibility for themselves and subcontractors complying with requirements of the United States as well as the host government. Refiners are a key control point because so much processing is concentrated in a few places and ownership is often opaque.

Downstream buyers should assess how their supply chains operate, purchase from companies that engage in voluntary standards and certification schemes such as IRMA, and use their leverage to demand improvements. Broad commitments and statements of intent are not enough.

And knowing where a mineral came from is not enough. Industry-run certification programs should not substitute for independent oversight. Standards need enforcement mechanisms. Governments should write binding, enforceable standards into their agreements and enforce them, including through labor-rights enforcement, environmental protection, Indigenous rights, and human rights requirements, and strict bans on importing goods made with child and forced labor. Workers, affected communities, and civil society should have a central role in monitoring, and their voices and experiences prioritized. This should be coupled with complaint mechanisms they can use without fear of retaliation, and a U.S.-Mexico-Canada Agreement-style rapid-response mechanism to address labor and environmental violations at the individual mine or facility level, or in impacted communities, so that they can be investigated and addressed quickly. Depending on the seriousness of a violation, consequences could include losing preferential trade treatment, being blocked from the U.S. market, being suspended from federal financing, or requiring clawbacks/repayment of public funds.

Mineral Circularity:

- **As the United States seeks to build resilient critical minerals supply chains, how should the United States incorporate mineral circularity, including recycling, recovery, reuse, and more efficient use of existing materials? What policies or investments should Congress pursue to strengthen recycling and recovery of critical minerals and integrate circularity into U.S. supply chain strategies?**

Circularity should be at the center of U.S. supply chain strategy, not an afterthought. Every ton of critical minerals recovered at home is a ton the United States does not have to mine or import. Recovered minerals also come from within our own borders, so other countries cannot cut off supply. Recycling, recovery, reuse, and more efficient use of existing materials reduce dependence on new mining and imported raw ore, ease pressure on communities and ecosystems near mines, and create jobs in refurbishment and recycling. A sound strategy should also aim to reduce overall demand, so less mining is needed in the first place.

The United States is significantly behind in this area. China is already the world's mineral recycling capital and recently adopted ambitious [plans](#) to significantly expand recycling of end-of-life batteries, metal scrap, and renewable energy components by 2030 to support industrial decarbonization. For example, their plan to recycle more than 1 million

metric tons of spent traction batteries, commonly used in EVs and heavy industry, is expected to meet 10%-15% of the raw material demand for new traction battery production.

The Trump administration has largely ignored circularity. A Biden-era U.S.-Japan Critical Minerals Agreement explicitly referred to the circular economy, but the Trump U.S.-Japan Action Plan for Critical Minerals Supply Chain Resilience signed in March 2026 drops that language. Almost none of the critical minerals instruments that Public Citizen reviewed meaningfully address reuse, recycling, or end-of-life measures, and none address demand reduction.

This disregard for minerals circularity is unfortunately consistent with the Trump Administration's climate-hostile approach across the board; the trade deals also omit any reference to climate impacts.

Congress should make recycling, reuse, and more efficient use central to U.S. minerals strategy. Public investment, including DOE programs and DFC and EXIM financing, should prioritize recovery and processing capacity rather than only new extraction, and assess and document whether recycling or substitution could achieve the same objective. Minerals agreements should prioritize circularity, with binding commitments to trace, reuse, refurbish, and recycle minerals instead of burning or landfilling them at the end of a product's life. That approach would cut the need for new extraction, strengthen supply security, and create good jobs in the United States and in partner countries.