

**The Government of the Republic of Poland and the Government of the
United States of America Framework
For Securing of Supply in the Mining Processing and Recycling of Critical Minerals
including Rare Earths**

Whereas, critical minerals constitute an indispensable input for the development, manufacturing and deployment of advanced technologies, including those underpinning energy transition, digital infrastructure and modern defense systems;

Whereas, the Government of the Republic of Poland (Poland) and the Government of the United States of America (the “United States” or “U.S.”) (collectively, the “Participants”) intend to support the supply of raw and processed critical minerals as a matter of strategic importance for national security, economic competitiveness and technological sovereignty when fighting unfair global competition;

Whereas, the Participants plan to enable the acceleration of business-to-business cooperation with the objective of increasing the Participants’ economic security and to safeguard both countries in achieving resilience and security of critical minerals supply chains, including mining, separation, processing and recycling;

Whereas, considering the disruptions in critical minerals markets and the need to build future-proof resilience in this area, both countries aim to support each other in developing a system for monitoring critical minerals supply chains and establishing risk management mechanisms;

Whereas, the Participants intend to capitalize on their respective existing domestic mining and processing operations in critical minerals, as well as new capacity to be developed.

Therefore, the Participants have reached the following understanding on a common policy framework for the mining, processing and recycling of critical minerals.

Section I

Critical Minerals

1. Securing Supply:

The Participants intend to intensify cooperative efforts to accelerate the secure supply of critical minerals necessary to support the manufacturing of products including defense and advanced technologies and their respective industrial bases within the scope of their respective national competences and applicable domestic and EU laws and regulations.

2. Investment in Mining and Processing:

The Participants commit to mobilize government and private sector support, as

appropriate and in accordance with their respective policies and applicable domestic and EU laws and regulations in force within the territories of the Participants.

- a. **Project Selection:** The Participants intend to jointly identify projects of interest to address gaps in priority supply chains without prejudice to national project approval procedures.
- b. **Financing:** The Participants intend to explore potential financing opportunities for projects located in each country, and potentially in third countries, subject to separate decisions by competent authorities and expected to generate end products for delivery to buyers in the United States and Poland.
- c. **Investment Support:** The Participants intend to work together to exchange information and best practices and to consider the development of new or bespoke mechanisms to strengthen critical minerals (including rare earths) supply chains in compliance with state aid, competition and public finance rules.

3. **Permitting:** The Participants are exploring measures to improve efficiency and coordination of permitting timelines and processes, including to obtain permits for critical minerals including rare earths mining, separation, processing and recycling within their respective domestic regulatory systems. The Participants intend for any such measures taken to be consistent with applicable domestic and EU laws and regulations. Any measures taken should also take into account long-term costs and consequences of the ventures in question.

4. **Price Mechanisms:** Provided that this is in accordance with the applicable domestic and EU laws and regulations, the Participants intend: (i) to work to protect their respective domestic critical minerals including rare earths markets from non-market policies and unfair trade practices, which includes establishing high standard marketplaces and discussing price framework concepts (e.g. price floors) that ensure process reflect compliance with applicable standards and prevent distortions arising from non-market practices, (ii) to collaborate with international partners to develop a global framework to address associated international pricing challenges.

5. **Supply Chain Monitoring and Risk Management:** The Participants intend to cooperate in the exchange of experience related to data analysis, monitoring of critical minerals supply chain, and the development of risk management mechanisms, including but not limited to strategic stockpiling of critical minerals, subject to applicable domestic and EU laws and regulations.

6. **Asset Sales:** The Participants commit to developing or strengthening authorities and diplomatic tools to review critical minerals including rare earths asset sales on national security grounds in accordance with national screening mechanisms and applicable domestic and EU laws and regulations, including applicable due process requirements.

7. **Scrap and Recycling:** The Participants intend to invest in minerals recycling technology to promote cooperation and work together to ensure the management of critical minerals and rare earths scrap and waste materials to support supply chain diversification subject to applicable domestic and EU laws and regulations.
 8. **Research on separation and processing:** The Participants intend to take measures to provide new financing for research projects aimed at developing new, more efficient technologies to separate and process critical minerals including rare earths occurring in forms or concentrations previously considered unsuitable for industrial use. These research projects are expected to focus both on mineral deposits and mining waste.
 9. **Third-Party Cooperation:** The Participants intend to collaborate with third parties, as appropriate, to ensure supply chain security and utilize existing engagement mechanisms. on a voluntary and case by case basis.
 10. **Geological Mapping:** The Participants intend to cooperate to assist in mapping mineral resources in Poland, the United States, and other mutually determined locations subject to national geological licensing to support diversified critical mineral supply chains.
 11. **Sustainable deep-sea mining:** The Participants intend to cooperate in the field of exploration and possible future exploitation of minerals resources from the deep-sea, considering the issues of sustainable mining and environmentally friendly technology.
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Section II

General Provisions

1. **Post-Project Analysis:** The appropriate authorities of the Participants are expected to carry out post-project analysis and implementation of any projects. The specific content of the post-project analysis is to be developed between/among the Participants, in accordance with their respective applicable domestic and EU laws and regulations, including institutional mandates and competencies.
2. **Meetings:** The Participants intend to meet, virtually or in person, at the written request of the other Participant within 10 days of receiving the request subject to availability and mutual decision.
3. **Discontinuation:** Either Participant may discontinue its participation in this Framework by providing written notification to the other Participant. Any such discontinuation would be effective on the thirtieth day after the date of receipt of the written notification.

4. **Non-Binding Nature:** This Framework represents a statement of political intent that is non-binding for the Participants as well as any third parties, including investors and entrepreneurs, and does not constitute or create rights or obligations under applicable domestic and EU or international law, does not give rise to any legal process, and does not constitute or create any legally binding or enforceable obligations. Participants intend to consult to resolve any differences in interpretation or application of this Framework.
5. **Operative date:** This Framework becomes operative on the date of its signature by the authorized representatives of the Participants.
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Signed in [Location] this [Day] of [Month], [Year].

**For the Government of the Republic of
Poland:**

**For the Government of the United States
of America:**

[Name, title]

[Name, title]