

United States Senate

September 13, 2024

The Honorable Janet Yellen
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

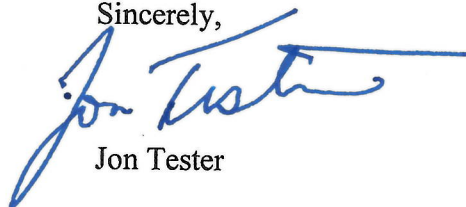
Dear Secretary Yellen:

I write to follow up on my previous letter that urges the Department of Treasury to put American workers first and apply the 45X Advanced Manufacturing Production Credit to the production of critical minerals. Yesterday, Sibanye-Stillwater announced significant layoffs at its palladium operations in Montana because Russian dumping is severely depressing the price of palladium. This is a heartbreaking scenario that is terrible for hardworking Montanans, the communities surrounding the mine, and our national security. The Administration must do more to support the manufacturing of critical minerals here at home and prevent the world from becoming dependent on Russia for palladium. That's why I am asking that you finalize the 45X tax credit and ensure that the Sibanye-Stillwater mine is an eligible recipient.

As I stated in my February letter and my conversation with Deputy Secretary Wally Adeyemo yesterday, the 45X credit should include the domestic mining and recycling of critical minerals. Otherwise, the proposed rule incentivizes domestic refiners to seek cheaper foreign mined materials. Production costs of palladium in the U.S. are significantly higher than the current global trading price of the critical mineral. This is largely due to Russia. In the United States, our mines pay workers a living wage and invest in protecting clear air and clean water. That is not the case in Russia where they run roughshod over their environment and barely pay their workers. Excluding critical mineral mining from the 45X would reward Russia's behavior and punish American workers, which would make no sense whatsoever.

Rebuilding domestic manufacturing, onshoring supply chains, and reducing America's dependence on foreign adversaries remains critically important to our economy and national security. There is only one acceptable outcome when this rule is finalized and that is that the credit includes domestic mining and recycling consistent with the legislation as written. Thank you for your consideration.

Sincerely,



Jon Tester