



US DEPARTMENT OF ENERGY

Memorandum for the Record

Date and Location of Meeting: 1/11/2024, USTR Office, Washington, DC

Attendees:

- United States
 - o Department of Energy
 - o Department of the Treasury
 - o National Security Council
 - o Department of State
 - o U.S. Trade Representative
- Republic of Korea (ROK)
 - o Ministry of Trade, Industry and Energy

Issues Presented:

Korean representatives began by highlighting the main points contained within their comments submitted in response to DOE's proposed Foreign Entity of Concern Interpretive Guidance.

Second, they reiterated their request for additional clarification of the term "effective control." They requested more examples of contracts that would fall under this provision.

Third, they stated their concern that entities will have difficulty verifying the backgrounds of board members and family members of private companies in order to ensure that the company does not qualify as being controlled by the "government of a covered nation."

Finally, they reiterated their concern that no companies will be able to qualify for the tax credit in 2025 without an exemption for graphite.