

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. \_\_\_\_\_**  
**OFFERED BY M\_\_\_\_. \_\_\_\_\_**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Securing America’s  
3 Critical Minerals Supply Act”.

**4 SEC. 2. AMENDMENT TO THE DEPARTMENT OF ENERGY OR-**  
**5 GANIZATION ACT.**

6       The Department of Energy Organization Act (42  
7 U.S.C. 7101 et seq.) is amended—

8           (1) in section 2, by adding at the end the fol-  
9       lowing:

10       “(d) As used in sections 102(20) and 203(a)(12), the  
11 term ‘critical energy resource’ means any energy re-  
12 source—

13           “(1) that is essential to the energy sector and  
14       energy systems of the United States; and

15           “(2) the supply chain of which is vulnerable to  
16       disruption.”;

17       (2) in section 102, by adding at the end the fol-  
18       lowing:

1           “(20) To ensure there is an adequate and reli-  
2           able supply of critical energy resources that are es-  
3           sential to the energy security of the United States.”;  
4           and

5           (3) in section 203(a), by adding at the end the  
6           following:

7           “(12) Functions that relate to securing the sup-  
8           ply of critical energy resources, including identifying  
9           and mitigating the effects of a disruption of such  
10          supply on—

11                 “(A) the development and use of energy  
12                 technologies; and

13                 “(B) the operation of energy systems.”.

14   **SEC. 3. SECURING CRITICAL ENERGY RESOURCE SUPPLY**  
15                 **CHAINS.**

16          (a) IN GENERAL.—In carrying out the requirements  
17          of the Department of Energy Organization Act (42 U.S.C.  
18          7101 et seq.), the Secretary of Energy, in consultation  
19          with the appropriate Federal agencies, representatives of  
20          the energy sector, States, and other stakeholders, shall—

21                 (1) conduct ongoing assessments of—

22                         (A) energy resource criticality, based on  
23                         the importance of critical energy resources to  
24                         the development of energy technologies and the  
25                         supply of energy;

1 (B) the critical energy resource supply  
2 chain of the United States;

3 (C) the vulnerability of such supply chain;

4 (D) the diversity of domestic critical en-  
5 ergy resource supply chains in the United  
6 States, including the extent to which such di-  
7 versity is sufficient to prevent monopolistic be-  
8 havior, a single point of failure, or market ma-  
9 nipulation;

10 (E) capacity constraints on the domestic  
11 production of critical energy resources, includ-  
12 ing any such constraint caused by a shortage of  
13 material or labor;

14 (F) Federal regulations affecting the do-  
15 mestic production or importation of critical en-  
16 ergy resources;

17 (G) how the energy security of the United  
18 States is affected by the reliance of the United  
19 States on importation of critical energy re-  
20 sources; and

21 (H) how adversarial nations seek to exploit  
22 critical energy resource markets to undermine  
23 investment in the United States, which may in-  
24 clude the extent to which adversarial nations  
25 employ anti-competitive practices, price manipu-

1           lation, or human rights abuses in critical energy  
2           resource production and exportation;

3           (2) facilitate development of strategies to  
4           strengthen critical energy resource supply chains in  
5           the United States, including by—

6                   (A) diversifying the sources of the supply  
7                   of critical energy resources; and

8                   (B) increasing domestic production, sepa-  
9                   ration, and processing of critical energy re-  
10                  sources;

11           (3) develop substitutes and alternatives to crit-  
12           ical energy resources; and

13           (4) improve technology that reuses and recycles  
14           critical energy resources.

15           (b) REPORT.—Not later than two years after the date  
16 of enactment of this Act, the Secretary of Energy shall  
17 submit to the Committee on Energy and Commerce of the  
18 House of Representatives and the Committee on Energy  
19 and Natural Resources of the Senate a report on the sta-  
20 tus of the assessments under subsection (a)(1), including  
21 a description of any regulation prescribed, guidance  
22 issued, or other action taken as a result of such an assess-  
23 ment.

24           (c) CRITICAL ENERGY RESOURCE DEFINED.—In this  
25 section, the term “critical energy resource” has the mean-

1 ing given such term in section 2 of the Department of  
2 Energy Organization Act (42 U.S.C. 7101).

Amend the title so as to read: “A bill to amend the  
Department of Energy Organization Act to secure the  
supply of critical energy resources, including critical min-  
erals and other materials, and for other purposes.”.

