

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 755
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Critical Mineral Con-
3 sistency Act of 2025”.

4 SEC. 2. CRITICAL MINERALS AND MATERIALS LIST.

5 Section 7002 of the Energy Act of 2020 (30 U.S.C.
6 1606) is amended—

7 (1) in subsection (c)(4)(C), by inserting “min-
8 erals or materials” after “critical”;

9 (2) by redesignating subsection (o) as sub-
10 section (p); and

11 (3) by inserting after subsection (n) the fol-
12 lowing:

13 “(o) CRITICAL MINERALS AND MATERIALS LIST.—

14 “(1) IN GENERAL.—Not later than 45 days
15 after the date of enactment of the Critical Mineral
16 Consistency Act of 2025, the Secretary shall publish
17 a Critical Minerals and Materials List, which shall
18 include—

1 “(A) any critical mineral designated by the
2 Secretary under subsection (c); and

3 “(B) any non-fuel mineral, element, sub-
4 stance, or material that the Secretary of En-
5 ergy has determined to be a critical material
6 under subsection (a)(2) as of that date of en-
7 actment.

8 “(2) UPDATES.—The Secretary shall update
9 the Critical Minerals and Materials List published
10 under paragraph (1)—

11 “(A) not later than 45 days after the date
12 on which the Secretary updates a critical min-
13 eral designation under subsection (c); and

14 “(B) not later than 45 days after the date
15 on which the Secretary of Energy updates a
16 critical material designation under subsection
17 (a)(2).

18 “(3) PUBLICATION ALIGNMENT.—To the max-
19 imum extent practicable, the Secretary and the Sec-
20 retary of Energy shall coordinate when updates to
21 the Critical Minerals and Materials List may be re-
22 quired under paragraph (2).

23 “(4) ADMINISTRATION.—For the purposes of
24 administering programs involving critical minerals or
25 critical materials, the Secretary, the Secretary of

1 Energy, and the heads of other Federal departments
2 and agencies where such department or agency has
3 incorporated by reference the definition of ‘critical
4 mineral’ or ‘critical material’ from this section, as
5 applicable, shall use the most recently published
6 version of the Critical Minerals and Materials List
7 published under paragraph (1).”.

Amend the title so as to read: “A bill to amend the Energy Act of 2020 to harmonize the lists of critical minerals and critical materials, and for other purposes.”.

