

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8450
OFFERED BY MR. STAUBER OF MINNESOTA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Phosphate and Potash
3 Protection Act of 2024”.

**4 SEC. 2. EVALUATION OF CERTAIN MINERALS FOR DESIGNA-
5 TION AS CRITICAL MINERALS.**

6 (a) IN GENERAL.—Not later than 30 days after the
7 date of the enactment of this section, the Secretary, in
8 consultation with the Secretary of Agriculture, shall evalu-
9 ate potash, phosphates, and other minerals necessary for
10 the production of fertilizer and other agricultural products
11 used to promote crop development for designation as crit-
12 ical minerals under section 7002(c)(4) of the Energy Act
13 of 2020 (30 U.S.C. 1606(c)(4)).

14 (b) RECOMMENDATIONS.—Not later than 90 days
15 after the date of the enactment of this section, the Sec-
16 retary, in consultation with the Secretary of Agriculture,
17 shall—

1 (1) evaluate policies in place as of the date of
2 the enactment of this section related to the permit-
3 ting and leasing of projects for the exploration, de-
4 velopment, and production of the minerals described
5 in subsection (a); and

6 (2) submit to the appropriate congressional
7 committees recommendations to support the domes-
8 tic production of such minerals.

9 (c) REPORT.—Not later than 90 days after the date
10 of the enactment of this section, the Secretary, in con-
11 sultation with the Secretary of Agriculture, shall submit
12 to the appropriate congressional committees a report re-
13 garding the evaluation carried out under subsection (a),
14 including a description of how each mineral described in
15 subsection (a) does or does not meet each requirement of
16 the designation methodology to determine the eligibility of
17 each such mineral for inclusion on the critical minerals
18 list.

19 (d) DESIGNATION.—If, pursuant to the evaluation
20 carried out under subsection (a), the Secretary, in con-
21 sultation with the Secretary of Agriculture, determines
22 that a mineral described in subsection (a) meets each re-
23 quirement of the designation methodology, the Secretary,
24 in consultation with the Secretary of Agriculture and not
25 later than 45 days after the date on which the report re-

1 quired under subsection (c) is submitted, shall designate
2 such mineral as a critical mineral under section
3 7002(c)(4) of the Energy Act of 2020 (30 U.S.C.
4 1606(c)(4)) and update the critical minerals list accord-
5 ingly.

6 (e) DEFINITIONS.—In this section:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Natural Resources
11 and the Committee on Agriculture of the House
12 of Representatives; and

13 (B) the Committee on Energy and Natural
14 Resources and the Committee on Agriculture,
15 Nutrition, and Forestry of the Senate.

16 (2) CRITICAL MINERAL.—The term “critical
17 mineral” has the meaning given the term in section
18 7002(a) of the Energy Act of 2020 (30 U.S.C.
19 1606(a)).

20 (3) CRITICAL MINERALS LIST.—The term “crit-
21 ical minerals list” means the list of critical minerals
22 published under section 7002(c)(3) of the Energy
23 Act of 2020 (30 U.S.C. 1606(c)(3)).

24 (4) DESIGNATION METHODOLOGY.—The term
25 “designation methodology” means the methodology

1 published under section 7002(c)(3) of the Energy
2 Act of 2020 (30 U.S.C. 1606(c)(3)) as of the date
3 of the enactment of this section.

4 (5) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior.

