

118TH CONGRESS
2D SESSION

S. 5274

To amend the Energy Act of 2020 to include critical materials in the definition of critical mineral, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Ms. SINEMA (for herself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Energy Act of 2020 to include critical materials in the definition of critical mineral, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Critical Mineral Con-

5 sistency Act of 2024”.

6 **SEC. 2. CRITICAL MATERIALS INCLUDED AS CRITICAL MIN-**
7 **ERALS.**

8 Section 7002 of the Energy Act of 2020 (30 U.S.C.

9 1606) is amended—

10 (1) in subsection (a)(3)(A)—

1 (A) by striking the period at the end and
2 inserting “; and”;

3 (B) by striking “means any mineral” and
4 inserting the following: “means—

5 “(i) any mineral”; and

6 (C) by adding at the end the following:

7 “(ii) a critical material as determined
8 by the Secretary of Energy under para-
9 graph (2)(A).”; and

10 (2) in subsection (c)(5), by adding at the end
11 the following:

12 “(C) INCLUSION OF CRITICAL MATE-
13 RIALS.—Not later than 45 days after the date
14 on which the Secretary of Energy determines a
15 non-fuel mineral, element, substance, or mate-
16 rial to be a critical material under subsection
17 (a)(2)(A), the Secretary shall update the list of
18 critical minerals published under paragraph (3)
19 to include that critical material.”.

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