

118TH CONGRESS  
2D SESSION

# H. R. 8446

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

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IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2024

Mr. CISCOMANI (for himself, Mr. NEWHOUSE, and Mr. CRANE) introduced the following bill; which was referred to the Committee on Natural Resources

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## 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. CRITICAL MATERIALS INCLUDED AS CRITICAL**  
4 **MINERALS.**

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

7 (1) in subsection (a)(3)(A), to read as follows:

8 “(A) IN GENERAL.—The term ‘critical  
9 mineral’ means—

1                   “(i) any mineral, element, substance,  
2                   or material designated as critical by the  
3                   Secretary under subsection (c); and

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

7                   (2) in subsection (c)(5), by adding at the end  
8                   the following:

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

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