

118TH CONGRESS
2D SESSION

S. _____

To increase support by the United States Government for critical minerals projects outside the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. WARNER (for himself, Mr. RUBIO, Mr. HICKENLOOPER, Mr. CASSIDY, Mr. COONS, Mr. KING, Mr. TILLIS, and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To increase support by the United States Government for critical minerals projects outside the United States, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Global Strategy for Securing Critical Minerals Act of
6 2024”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—ENHANCING UNITED STATES DIPLOMATIC SUPPORT OF
CRITICAL MATERIAL PROJECTS

- Sec. 101. Streamlining diplomatic efforts relating to critical materials.
 Sec. 102. Codifying the Partnership for Global Infrastructure and Investment.
 Sec. 103. Establishment of diplomatic tool to support United States private sector critical material projects abroad.

TITLE II—INCREASING FINANCIAL TOOLS TO SUPPORT
ONSHORING OF CRITICAL MATERIALS

- Sec. 201. Support for critical materials projects by United States International Development Finance Corporation.
 Sec. 202. Authorization of support for critical material projects for which offtake is purchased by a United States entity.
 Sec. 203. Inclusion of critical materials in program on China and transformational exports.
 Sec. 204. Critical material metallurgy financing.

TITLE III—INCREASING SUPPORT FOR ALLIED PARTNERSHIPS
FOR CRITICAL MATERIAL MAPPING, MINING, AND TECHNOLOGY RESEARCH

- Sec. 301. Expanding collaboration with allies and partners on critical materials technologies and projects.
 Sec. 302. Expanding authorities for critical material projects to include allies and partners.

TITLE IV—PUBLIC-PRIVATE COLLABORATION ON CRITICAL
MATERIALS

- Sec. 401. Enhancing public-private sharing on manipulative adversary practices in critical material projects.
 Sec. 402. Coordinating government financial tools for public-private collaboration on critical material investments.

TITLE V—COUNTERING THE PEOPLE’S REPUBLIC OF CHINA’S
EFFORTS TO MANIPULATE CRITICAL MATERIAL MARKETS

- Sec. 501. Increased support for United States procurement of critical materials.
 Sec. 502. Report on imposition of duties on electromagnets, battery cells, electric storage batteries, and photovoltaic cells imported from certain countries.
 Sec. 503. Prohibition on provision of funds to foreign entities of concern.

TITLE VI—WORKFORCE DEVELOPMENT EFFORTS

- Sec. 601. Workforce development initiative.

1 SEC. 2. DEFINITIONS.

2 In this Act:

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Select Committee on Intelligence,
5 the Committee on Energy and Natural Re-
6 sources, the Committee on Commerce, Science,
7 and Transportation, the Committee on Foreign
8 Relations, the Committee on Armed Services,
9 the Committee on Appropriations, the Com-
10 mittee on Banking, Housing, and Urban Af-
11 fairs, the Committee on Homeland Security and
12 Governmental Affairs, and the Committee on
13 Finance of the Senate; and

14 (B) the Permanent Select Committee on
15 Intelligence, the Committee on Energy and
16 Commerce, the Committee on Foreign Affairs,
17 the Committee on Armed Services, the Com-
18 mittee on Science, Space, and Technology, the
19 Committee on Appropriations, the Committee
20 on Financial Services, the Committee on Home-
21 land Security, and the Committee on Ways and
22 Means of the House of Representatives.

23 (2) CRITICAL MATERIAL.—The term “critical
24 material” means a strategic or critical material, in-
25 cluding a rare earth element, that is necessary to

1 meet national defense or national security require-
2 ments, including requirements relating to supply
3 chain resiliency, or for the economic security of the
4 United States.

5 (3) FOREIGN ENTITY.—

6 (A) IN GENERAL.—The term “foreign enti-
7 ty” means—

8 (i) a government of a foreign country;

9 (ii) a foreign political party;

10 (iii) an individual who is not—

11 (I) a citizen or national of the
12 United States;

13 (II) an alien lawfully admitted
14 for permanent residence to the United
15 States; or

16 (III) any other protected indi-
17 vidual (as defined in section
18 274B(a)(3) of the Immigration and
19 Nationality Act (8 U.S.C.
20 1324b(a)(3))); and

21 (iv) a partnership, association, cor-
22 poration, organization, or other combina-
23 tion of entities organized under the laws of
24 or having its principal place of business in
25 a foreign country.

1 (B) INCLUSIONS.—The term “foreign enti-
2 ty” includes—

3 (i) any person owned by, controlled
4 by, or subject to the jurisdiction or direc-
5 tion of an entity described in subparagraph
6 (A);

7 (ii) any person, wherever located, who
8 acts as an agent, representative, or em-
9 ployee of an entity described in subpara-
10 graph (A);

11 (iii) any person who acts in any other
12 capacity at the order, request, or under the
13 influence, direction, or control, of—

14 (I) an entity described in sub-
15 paragraph (A); or

16 (II) a person the activities of
17 which are directly or indirectly super-
18 vised, directed, controlled, financed, or
19 subsidized in whole or in majority
20 part by an entity described in sub-
21 paragraph (A);

22 (iv) any person who directly or indi-
23 rectly through any contract, arrangement,
24 understanding, relationship, or otherwise,
25 owns 25 percent or more of the equity in-

1 terests of an entity described in subpara-
2 graph (A);

3 (v) any person with significant re-
4 sponsibility to control, manage, or direct
5 an entity described in subparagraph (A);

6 (vi) any person, wherever located, who
7 is a citizen or resident of a country con-
8 trolled by an entity described in subpara-
9 graph (A); and

10 (vii) any corporation, partnership, as-
11 sociation, or other organization organized
12 under the laws of a country controlled by
13 an entity described in subparagraph (A).

14 (4) FOREIGN ENTITY OF CONCERN.—

15 (A) IN GENERAL.—The term “foreign enti-
16 ty of concern” means any foreign entity that
17 is—

18 (i) designated as a foreign terrorist
19 organization by the Secretary of State
20 under section 219 of the Immigration and
21 Nationality Act (8 U.S.C. 1189);

22 (ii) included on the list of specially
23 designated nationals and blocked persons
24 maintained by the Office of Foreign Assets

1 Control of the Department of the Treas-
2 ury;

3 (iii) owned by, controlled by, or sub-
4 ject to the jurisdiction, direction, or other-
5 wise under the undue influence of a gov-
6 ernment of a covered nation (as defined in
7 section 4872(d) of title 10, United States
8 Code);

9 (iv) alleged by the Attorney General
10 to have been involved in activities for
11 which a conviction was obtained under—

12 (I) chapter 37 of title 18, United
13 States Code (commonly known as the
14 “Espionage Act”);

15 (II) section 951 or 1030 of title
16 18, United States Code;

17 (III) chapter 90 of title 18,
18 United States Code (commonly known
19 as the “Economic Espionage Act of
20 1996”);

21 (IV) the Arms Export Control
22 Act (22 U.S.C. 2751 et seq.);

23 (V) section 224, 225, 226, 227,
24 or 236 of the Atomic Energy Act of

1 1954 (42 U.S.C. 2274, 2275, 2276,
2 2277, and 2284);

3 (VI) the Export Control Reform
4 Act of 2018 (50 U.S.C. 4801 et seq.);
5 or

6 (VII) the International Emer-
7 gency Economic Powers Act (50
8 U.S.C. 1701 et seq.); or

9 (v) determined by the Secretary, in
10 consultation with the Secretary of Defense
11 and the Director of National Intelligence,
12 to be engaged in unauthorized conduct
13 that is detrimental to the national security
14 or foreign policy of the United States
15 under this Act.

16 (B) EXCLUSION.—The term “foreign enti-
17 ty of concern” does not include any entity with
18 respect to which 1 or more foreign entities de-
19 scribed in subparagraph (A) owns less than 10
20 percent of the equity interest.

21 (5) INTELLIGENCE COMMUNITY.—The term
22 “intelligence community” has the meaning given the
23 term in section 3 of the National Security Act of
24 1947 (50 U.S.C. 3003).

1 (6) METALLURGY.—The term “metallurgy”
2 means the process of producing finished critical ma-
3 terial products from critical materials.

4 (7) PERSON.—The term “person” includes an
5 individual, partnership, association, corporation, or-
6 ganization, or any other combination of individuals.

7 (8) UNITED STATES ENTITY.—The term
8 “United States entity” means an entity organized
9 under the laws of the United States or any jurisdic-
10 tion within the United States.

11 **TITLE I—ENHANCING UNITED**
12 **STATES DIPLOMATIC SUP-**
13 **PORT OF CRITICAL MATERIAL**
14 **PROJECTS**

15 **SEC. 101. STREAMLINING DIPLOMATIC EFFORTS RELATING**
16 **TO CRITICAL MATERIALS.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of the enactment of this Act, the Secretary of State,
19 in consultation with the heads of other relevant Federal
20 agencies, shall submit to the appropriate committees of
21 Congress a report outlining United States offices and posi-
22 tions responsible for securing the supply chains of a di-
23 verse set of critical materials.

24 (b) ELEMENTS.—The report required by subsection

25 (a) shall—

1 (1) review the roles and responsibilities of of-
2 fices and positions within the Department of State
3 engaged, as of the date of the enactment of this Act,
4 in efforts to secure critical material supply chains
5 and develop processes to ensure that those offices
6 coordinate and deconflict such efforts; and

7 (2) describe how those offices in the Depart-
8 ment of State are responsible for coordinating with
9 other elements of the United States Government, the
10 intelligence community, the private sector, and coun-
11 tries that are allies and partners of the United
12 States.

13 (c) BRIEFING REQUIRED.—Not later than 120 days
14 after the date of the enactment of this Act, the Secretary
15 shall brief the appropriate committees of Congress on the
16 report required by subsection (a).

17 **SEC. 102. CODIFYING THE PARTNERSHIP FOR GLOBAL IN-**
18 **FRASTRUCTURE AND INVESTMENT.**

19 The Secretary of State shall seek to establish the
20 Partnership for Global Infrastructure and Investment to
21 coordinate the efforts of the United States Government
22 in priority infrastructure sectors, including energy and bi-
23 ological supply chains, to ensure there is a whole-of-gov-
24 ernment approach to securing supply chain inputs, tech-
25 nologies, and infrastructure investments.

1 **SEC. 103. ESTABLISHMENT OF DIPLOMATIC TOOL TO SUP-**
2 **PORT UNITED STATES PRIVATE SECTOR**
3 **CRITICAL MATERIAL PROJECTS ABROAD.**

4 The Secretary of State shall identify an appropriate
5 official or office of the Department of State to establish
6 a mechanism and process for certifying if critical material
7 projects carried out by United States entities have the
8 support of the United States Government, which—

9 (1) may include using the Blue Dot Network or
10 another mechanism in existence as of the date of the
11 enactment of this Act, as appropriate; and

12 (2) shall include a process for ensuring that
13 United States entities can engage with United
14 States embassies in foreign countries to utilize the
15 mechanism and process to secure support for
16 pursuing critical material projects in such countries.

17 **TITLE II—INCREASING FINAN-**
18 **CIAL TOOLS TO SUPPORT**
19 **ONSHORING OF CRITICAL MA-**
20 **TERIALS**

21 **SEC. 201. SUPPORT FOR CRITICAL MATERIALS PROJECTS**
22 **BY UNITED STATES INTERNATIONAL DEVEL-**
23 **OPMENT FINANCE CORPORATION.**

24 Section 1412 of the Better Utilization of Investments
25 Leading to Development Act of 2018 (22 U.S.C. 9612)
26 is amended—

1 (1) in subsection (b)—

2 (A) by striking “The purpose” and insert-
3 ing the following:

4 “(1) IN GENERAL.—The purpose”;

5 (B) by striking “shall be to” and inserting
6 the following: “shall be—

7 “(A) to”;

8 (C) by striking “the United States.” and
9 inserting the following: “the United States; and

10 “(B) to provide support under title II in
11 high-income economy countries for projects in-
12 volving development, processing, or recycling of
13 critical materials if such support furthers the
14 national security interests of the United
15 States.”;

16 (D) by striking “In carrying out” and in-
17 serting the following:

18 “(2) CONSIDERATION OF CERTAIN CRITERIA.—
19 In carrying out”; and

20 (E) by adding at the end the following:

21 “(3) DEFINITIONS.—For the purposes of para-
22 graph (1)(B):

23 “(A) CRITICAL MATERIAL.—The term
24 ‘critical material’ has the meaning given that

1 term in section 2 of the Global Strategy for Se-
2 curing Critical Minerals Act of 2024.

3 “(B) HIGH-INCOME ECONOMY COUNTRY.—

4 The term ‘high-income economy country’ means
5 a country with a high-income economy, as de-
6 fined by the International Bank for Reconstruc-
7 tion and Development and the International
8 Development Association (collectively referred
9 to as the ‘World Bank’).”; and

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

12 “(3) SUPPORT FOR FREELY ASSOCIATED
13 STATES.—Notwithstanding the income classification
14 of the country with which the geopolitical entity is
15 associated, the Corporation may provide support
16 under title II to a geopolitical entity that is included,
17 as of the date on which the support is provided, on
18 the list of dependencies and areas of special sov-
19 ereignty prepared by the Department of State.”.

20 **SEC. 202. AUTHORIZATION OF SUPPORT FOR CRITICAL MA-**
21 **TERIAL PROJECTS FOR WHICH OFFTAKE IS**
22 **PURCHASED BY A UNITED STATES ENTITY.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) allies of the United States, such as Japan,
2 South Korea, and European countries, provide fi-
3 nancial support for the importation of commodities
4 essential for national security; and

5 (2) given the locations of critical materials and
6 the lack of existing mining, processing, refining, or
7 recycling facilities for those materials, the United
8 States must ensure that United States entities can
9 compete for the offtake of critical materials in
10 projects being carried out abroad, whether or not the
11 project is operated by a United States entity.

12 (b) STRATEGY REQUIRED.—

13 (1) IN GENERAL.—The President of the Ex-
14 port-Import Bank of the United States shall develop
15 a strategy for the issuance of guaranties, insurance,
16 or extensions of credit, or the participation in the
17 extension of credit, in connection with a project car-
18 ried out outside the United States if the offtake of
19 the project is critical for a United States entity.

20 (2) OUTREACH.—In developing the strategy re-
21 quired by paragraph (1), the President of the Bank
22 shall conduct outreach to United States entities, in-
23 cluding automotive companies, to ensure that the
24 United States private sector can adequately compete
25 to secure critical material supply chains abroad, in-

1 including in the production of batteries necessary for
2 the electric grid, transportation, and weapons and
3 other defenses in the United States.

4 **SEC. 203. INCLUSION OF CRITICAL MATERIALS IN PRO-**
5 **GRAM ON CHINA AND TRANSFORMATIONAL**
6 **EXPORTS.**

7 Section 2(l)(1)(B) of the Export-Import Bank Act of
8 1945 (12 U.S.C. 635(l)(1)(B)) is amended—

9 (1) by redesignating clause (xi) as clause (xii);
10 and

11 (2) by inserting after clause (x) the following:

12 “(xi) Critical materials (as defined in
13 section 2 of the Global Strategy for Secur-
14 ing Critical Minerals Act of 2024) and per-
15 manent magnets.”.

16 **SEC. 204. CRITICAL MATERIAL METALLURGY FINANCING.**

17 (a) **FINANCIAL ASSISTANCE PROGRAM.—**

18 (1) **IN GENERAL.—**The Secretary of Energy
19 shall establish in the Department of Energy a pro-
20 gram to provide Federal financial assistance to cov-
21 ered entities to incentivize investment in covered fa-
22 cilities, subject to the availability of appropriations
23 for that purpose.

24 (2) **PROCEDURE.—**

1 (A) IN GENERAL.—A covered entity seek-
2 ing financial assistance under this subsection
3 shall submit to the Secretary an application
4 that describes the project for which the covered
5 entity is seeking financial assistance.

6 (B) ELIGIBILITY.—In order for a covered
7 entity to qualify for financial assistance under
8 this subsection, the covered entity shall dem-
9 onstrate to the Secretary, in the application
10 submitted by the covered entity under subpara-
11 graph (A), that—

12 (i) the covered entity has a docu-
13 mented interest in—

14 (I) constructing a covered facil-
15 ity; or

16 (II) expanding or technologically
17 upgrading a facility owned by the cov-
18 ered entity to be a covered facility;
19 and

20 (ii) with respect to the project for
21 which the covered entity is seeking finan-
22 cial assistance, the covered entity has—

23 (I) been offered a covered incen-
24 tive;

1 (II) made commitments to work-
2 er and community investment, includ-
3 ing through—

4 (aa) training and education
5 benefits paid by the covered enti-
6 ty; and

7 (bb) programs to expand
8 employment opportunity for eco-
9 nomically disadvantaged individ-
10 uals;

11 (III) secured commitments from
12 regional educational and training enti-
13 ties and institutions of higher edu-
14 cation to provide workforce training,
15 including programming for training
16 and job placement of economically dis-
17 advantaged individuals; and

18 (IV) an executable plan to sus-
19 tain a covered facility without addi-
20 tional Federal financial assistance
21 under this subsection for facility sup-
22 port.

23 (C) APPLICATION REVIEW.—

1 (i) IN GENERAL.—The Secretary may
2 not approve an application submitted by a
3 covered entity under subparagraph (A)—

4 (I) unless the Secretary—

5 (aa) confirms that the cov-
6 ered entity has satisfied the eligi-
7 bility criteria under subpara-
8 graph (B);

9 (bb) determines that the
10 project for which the covered en-
11 tity is seeking financial assist-
12 ance is in the interest of the
13 United States; and

14 (cc) has notified the appro-
15 priate committees of Congress
16 not later than 15 days before
17 making any commitment to pro-
18 vide an award of financial assist-
19 ance to any covered entity in an
20 amount that exceeds
21 \$10,000,000; or

22 (II) if the Secretary determines,
23 in consultation with the Director of
24 National Intelligence, that the covered
25 entity is a foreign entity of concern.

1 (ii) CONSIDERATION.—In reviewing
2 an application submitted by a covered enti-
3 ty under subparagraph (A), the Secretary
4 may consider whether—

5 (I) the covered entity has pre-
6 viously received financial assistance
7 under this subsection;

8 (II) the governmental entity of-
9 fering the applicable covered incentive
10 has benefitted from financial assist-
11 ance previously provided under this
12 subsection;

13 (III) the covered entity has dem-
14 onstrated that the covered entity is re-
15 sponsive to the national security needs
16 or requirements established by the in-
17 telligence community (or an agency
18 thereof), the National Nuclear Secu-
19 rity Administration, or the Depart-
20 ment of Defense;

21 (IV) if practicable, a consortium
22 that is considered a covered entity in-
23 cludes a small business concern (as
24 defined under section 3 of the Small
25 Business Act (15 U.S.C. 632)), not-

1 withstanding section 121.103 of title
2 13, Code of Federal Regulations (or
3 successor regulations); and

4 (V) the covered entity intends to
5 produce finished products for use by
6 the Department of Defense, the de-
7 fense industry of the United States,
8 or critical energy infrastructure.

9 (iii) PRIORITIZATION.—To the max-
10 imum extent practicable, the Secretary
11 shall prioritize awarding financial assist-
12 ance under this subsection to a covered en-
13 tity that intends to make finished products
14 available for use by the Department of De-
15 fense, the defense industry of the United
16 States, or critical energy infrastructure.

17 (D) RECORDS.—

18 (i) IN GENERAL.—The Secretary may
19 request records and information from a
20 covered entity that submitted an applica-
21 tion under subparagraph (A) to review the
22 status of a covered entity.

23 (ii) REQUIREMENT.—As a condition
24 of receiving assistance under this sub-
25 section, a covered entity shall provide the

1 records and information requested by the
2 Secretary under clause (i).

3 (3) AMOUNT.—

4 (A) IN GENERAL.—The Secretary shall de-
5 termine the appropriate amount and funding
6 type for each financial assistance award pro-
7 vided to a covered entity under this subsection.

8 (B) COST-SHARING REQUIREMENT.—The
9 total amount of financial assistance that may be
10 guaranteed by the Secretary under this sub-
11 section shall be not more than 100 percent of
12 the private capital investment available to a
13 covered entity for any individual project.

14 (C) MINIMUM INVESTMENT.—The total
15 Federal investment in any individual project re-
16 ceiving a financial assistance award under this
17 subsection shall be not less than \$20,000,000.

18 (D) LARGER INVESTMENT.—The total
19 Federal investment in any individual project re-
20 ceiving a financial assistance award under this
21 subsection shall not exceed \$500,000,000, un-
22 less the Secretary, in consultation with the Sec-
23 retary of Defense and the Director of National
24 Intelligence, recommends to the President, and
25 the President certifies and reports to the appro-

1 appropriate committees of Congress, that a larger in-
2 vestment is necessary—

3 (i) to significantly increase the pro-
4 portion of reliable domestic supply of fin-
5 ished critical material products relevant for
6 national security and economic competi-
7 tiveness that can be met through domestic
8 production; and

9 (ii) to meet the needs of national se-
10 curity.

11 (4) USE OF FUNDS.—A covered entity that re-
12 ceives a financial assistance award under this sub-
13 section may only use the financial assistance award
14 amounts—

15 (A) to finance the construction of a cov-
16 ered facility (including equipment) or the ex-
17 pansion or technological upgrade of a facility
18 (including equipment) of the covered entity to
19 be a covered facility, as documented in the ap-
20 plication submitted by the covered entity under
21 paragraph (2)(A), as determined necessary by
22 the Secretary for purposes relating to the na-
23 tional security and economic competitiveness of
24 the United States;

1 (B) to support workforce development for
2 a covered facility; and

3 (C) to support site development and tech-
4 nological upgrade for a covered facility.

5 (5) CLAWBACK.—

6 (A) MAJOR AWARDS.—

7 (i) IN GENERAL.—For all financial as-
8 sistance awards provided to covered enti-
9 ties under this subsection, the Secretary
10 shall, at the time of making the award, de-
11 termine the target dates by which a cov-
12 ered entity shall commence and complete
13 the applicable project.

14 (ii) PROGRESSIVE RECOVERY FOR
15 DELAYS.—If the covered entity receiving a
16 financial assistance award under this sub-
17 section does not complete the applicable
18 project by the applicable target date deter-
19 mined under clause (i), the Secretary shall
20 progressively recover up to the full amount
21 of the award.

22 (iii) WAIVER.—In the case of projects
23 that do not meet the applicable target date
24 determined under clause (i), the Secretary
25 may waive the requirement to recover the

1 financial award provided for the project
2 under clause (ii) after making a formal de-
3 termination that circumstances beyond the
4 ability of the covered entity to foresee or
5 control are responsible for the delay.

6 (iv) CONGRESSIONAL NOTIFICA-
7 TION.—

8 (I) IN GENERAL.—Not later than
9 15 days after making a determination
10 to recover an award under clause (ii),
11 the Secretary shall notify the appro-
12 priate committees of Congress of the
13 intent of the Secretary to recover the
14 award.

15 (II) WAIVERS.—Not later than
16 15 days after the date on which the
17 Secretary provides a waiver under
18 clause (iii), the Secretary shall notify
19 the appropriate committees of Con-
20 gress of the waiver.

21 (B) JOINT RESEARCH, TECHNOLOGY LI-
22 CENSING, AND INTELLECTUAL PROPERTY RE-
23 PORTING.—

24 (i) IN GENERAL.—Before entering
25 into an agreement with a foreign entity to

1 the covered entity knowingly engages in
2 any joint research, technology licensing, in-
3 tellectual property sharing effort, or joint
4 venture with a foreign entity of concern
5 that relates to a technology or product that
6 raises national security concerns, as deter-
7 mined by the Secretary, in consultation
8 with the Director of National Intelligence,
9 the Director of the National Counterintel-
10 ligence and Security Center, and the Direc-
11 tor of the Federal Bureau of Investigation,
12 on the condition that the determination of
13 the Secretary shall have been commu-
14 nicated to the covered entity before the
15 covered entity engaged in the joint re-
16 search, technology licensing, or intellectual
17 property sharing.

18 (6) CONDITION OF RECEIPT.—A covered entity
19 to which the Secretary awards Federal financial as-
20 sistance under this subsection shall enter into an
21 agreement that specifies that, during the 5-year pe-
22 riod immediately following the award of the Federal
23 financial assistance, the covered entity will not make
24 shareholder distributions in excess of profits.

1 (b) COORDINATION REQUIRED.—In carrying out the
2 program established under subsection (a), the Secretary
3 shall coordinate with the Secretary of State, the Secretary
4 of Defense, the Secretary of Homeland Security, and the
5 Director of National Intelligence.

6 (c) GAO REVIEWS.—The Comptroller General of the
7 United States shall—

8 (1) not later than 2 years after the date of dis-
9 bursement of the first financial award under the
10 program established under subsection (a), and bien-
11 nially thereafter for 10 years, conduct a review of
12 the program, which shall include, at a minimum—

13 (A) a determination of the number of fi-
14 nancial assistance awards provided under the
15 program during the period covered by the re-
16 view;

17 (B) an evaluation of how—

18 (i) the program is being carried out,
19 including how recipients of financial assist-
20 ance awards are being selected under the
21 program; and

22 (ii) other Federal programs are lever-
23 aged for manufacturing, research, and
24 training to complement the financial assist-

1 ance awards provided under the program;

2 and

3 (C) a description of the outcomes of
4 projects supported by financial assistance
5 awards provided under the program, including a
6 description of—

7 (i) covered facilities that were con-
8 structed or facilities that were expanded or
9 technologically upgraded to be covered fa-
10 cilities as a result of financial assistance
11 awards provided under the program;

12 (ii) workforce training programs car-
13 ried out with financial assistance awards
14 provided under the program, including ef-
15 forts to hire individuals from disadvan-
16 taged populations; and

17 (iii) the impact of projects receiving
18 financial assistance awards under the pro-
19 gram on the United States share of global
20 finished critical material product produc-
21 tion; and

22 (2) submit to the appropriate committees of
23 Congress the results of each review conducted under
24 paragraph (1).

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this sec-
3 tion—

4 (1) \$750,000,000 for each of fiscal years 2025
5 and 2026; and

6 (2) \$200,000,000 for each of fiscal years 2027
7 through 2029.

8 (e) DEFINITIONS.—In this section:

9 (1) COVERED ENTITY.—The term “covered en-
10 tity” means a private entity, a consortium of private
11 entities, or a consortium of public and private enti-
12 ties, with a demonstrated ability to substantially fi-
13 nance, construct, expand, or technologically upgrade
14 a covered facility.

15 (2) COVERED FACILITY.—The term “covered
16 facility” means a facility located in a State that car-
17 ries out the metallurgy or recycling of critical mate-
18 rials for the production of critical material products.

19 (3) COVERED INCENTIVE.—The term “covered
20 incentive” means—

21 (A) an incentive offered by a Federal,
22 State, local, or Tribal governmental entity to a
23 covered entity for the purposes of—

1 (i) constructing within the jurisdiction
2 of the governmental entity a covered facil-
3 ity; or

4 (ii) expanding or technologically up-
5 grading an existing facility within that ju-
6 risdiction to be a covered facility; and

7 (B) a workforce-related incentive (includ-
8 ing a grant agreement relating to workforce
9 training or vocational education), any conces-
10 sion with respect to real property, funding for
11 research and development with respect to crit-
12 ical materials and finished critical material
13 products, and any other incentive determined
14 appropriate by the Secretary, in consultation
15 with the Secretary of State.

16 (4) FINISHED CRITICAL MATERIAL PRODUCT.—

17 The term “finished critical material product” means
18 a product composed of significant quantities of crit-
19 ical materials, including—

20 (A) metals;

21 (B) alloys; and

22 (C) permanent magnets.

23 (5) PRIVATE CAPITAL.—The term “private cap-
24 ital” has the meaning given the term in section 103

1 of the Small Business Investment Act of 1958 (15
2 U.S.C. 662).

3 (6) STATE.—The term “State” means—

4 (A) each of the several States of the
5 United States;

6 (B) the District of Columbia;

7 (C) the Commonwealth of Puerto Rico;

8 (D) Guam;

9 (E) American Samoa;

10 (F) the Commonwealth of the Northern
11 Mariana Islands;

12 (G) the Federated States of Micronesia;

13 (H) the Republic of the Marshall Islands;

14 (I) the Republic of Palau; and

15 (J) the United States Virgin Islands.

16 **TITLE III—INCREASING SUP-**
17 **PORT FOR ALLIED PARTNER-**
18 **SHIPS FOR CRITICAL MATE-**
19 **RIAL MAPPING, MINING, AND**
20 **TECHNOLOGY RESEARCH**

21 **SEC. 301. EXPANDING COLLABORATION WITH ALLIES AND**
22 **PARTNERS ON CRITICAL MATERIALS TECH-**
23 **NOLOGIES AND PROJECTS.**

24 (a) IN GENERAL.—The Secretary of the Interior shall
25 increase collaboration and information sharing between

1 the geoscience organizations of Australia, Canada, South
2 Korea, Japan, member countries of the North Atlantic
3 Treaty Organization and non-NATO allies and partners,
4 as the Secretary of the Interior determines to be appro-
5 priate, and the United States to include knowledge sharing
6 on critical materials processing and recycling techniques
7 and equipment.

8 (b) APPLICATION.—Collaboration and information
9 under subsection (a) shall extend to—

10 (1) the Earth Mapping Resources Initiative es-
11 tablished by section 40201 of the Infrastructure In-
12 vestment and Jobs Act (43 U.S.C. 311); and

13 (2) the National Cooperative Geologic Mapping
14 Program under section 4 of the National Geologic
15 Mapping Act of 1992 (43 U.S.C. 31e).

16 **SEC. 302. EXPANDING AUTHORITIES FOR CRITICAL MATE-**
17 **RIAL PROJECTS TO INCLUDE ALLIES AND**
18 **PARTNERS.**

19 (a) CRITICAL MINERALS MINING AND RECYCLING
20 RESEARCH.—Section 40210 of the Infrastructure Invest-
21 ment and Jobs Act (42 U.S.C. 18743) is amended—

22 (1) in subsection (b), by striking paragraph (1)
23 and inserting the following:

24 “(1) IN GENERAL.—In order to support supply
25 chain resiliency, the Secretary, in coordination with

1 the Director, and in collaboration with countries
2 that are allies and partners of the United States, as
3 the Secretary of State determines to be appropriate,
4 shall issue awards, on a competitive basis, to eligible
5 entities described in paragraph (2) to support basic
6 research that will accelerate innovation to advance
7 critical minerals mining, recycling, and reclamation
8 strategies and technologies for the purposes of—

9 “(A) making better use of domestic re-
10 sources; and

11 “(B) eliminating national reliance on min-
12 erals and mineral materials that are subject to
13 supply disruptions.”; and

14 (2) in subsection (c)(1), by inserting “, in col-
15 laboration with allied and partner countries, as the
16 Secretary of State determines to be appropriate,”
17 after “National Science and Technology Council (re-
18 ferred to in this subsection as the ‘Subcommittee’)”.

19 (b) USGS ENERGY AND MINERALS RESEARCH FA-
20 CILITY.—Section 40204 of the Infrastructure Investment
21 and Jobs Act (43 U.S.C. 50e) is amended—

22 (1) by redesignating subsection (f) as sub-
23 section (g); and

24 (2) by inserting after subsection (e) the fol-
25 lowing:

1 “(f) COLLABORATION.—The United States Geologi-
2 cal Survey may collaborate with Australia and Canada on
3 the energy and minerals research carried out at the facility
4 described in subsection (a).”.

5 (c) RARE EARTH DEMONSTRATION FACILITY.—Sec-
6 tion 7001(c)(1) of the Energy Act of 2020 (42 U.S.C.
7 13344(c)(1)) is amended inserting “and in coordination
8 with academic communities in countries that are allies and
9 partners of the United States, as the Secretary determines
10 to be appropriate,” after “academic partner,”.

11 **TITLE IV—PUBLIC-PRIVATE COL-**
12 **LABORATION ON CRITICAL**
13 **MATERIALS**

14 **SEC. 401. ENHANCING PUBLIC-PRIVATE SHARING ON MA-**
15 **NIPULATIVE ADVERSARY PRACTICES IN**
16 **CRITICAL MATERIAL PROJECTS.**

17 (a) STRATEGY REQUIRED.—Not later than 90 days
18 after the date of the enactment of this Act, the Director
19 of National Intelligence shall, in consultation with the
20 heads of such other Federal agencies as the Director con-
21 siders appropriate, develop a strategy to improve the shar-
22 ing between the Federal Government and private entities
23 of information to mitigate the threat that illicit activities
24 and tactics of foreign adversaries pose to United States
25 entities involved in projects outside the United States re-

1 lating to energy generation and storage, including with re-
2 spect to critical materials inputs for those projects.

3 (b) ELEMENTS.—The strategy required by subsection
4 (a) shall address—

5 (1) how best to assemble and transmit informa-
6 tion to United States entities—

7 (A) to protect against illicit tactics and ac-
8 tivities of foreign adversaries relating to critical
9 material projects outside the United States, in-
10 cluding efforts by foreign adversaries to under-
11 mine those projects;

12 (B) to mitigate the risk that the involve-
13 ment of governments of foreign adversaries in
14 the ownership and control of entities engaging
15 in deceptive or illicit activities pose to the inter-
16 ests of the United States; and

17 (C) to inform on economic espionage and
18 other threats from foreign adversaries to the
19 rights of owners of intellectual property, includ-
20 ing owners of patents, trademarks, copyrights,
21 trade secrets, and other sensitive information,
22 with respect to such property; and

23 (2) how best to receive information from United
24 States entities with respect to threats to United
25 States interests relating to critical materials, includ-

1 ing disinformation campaigns abroad or other sus-
2 picious malicious activity.

3 (c) IMPLEMENTATION PLAN REQUIRED.—Not later
4 than 30 days after the date on which the Director com-
5 pletes developing the strategy required by subsection (a),
6 the Director shall submit to the congressional intelligence
7 committees (as defined in section 3 of the National Secu-
8 rity Act of 1947 (50 U.S.C. 3003)), or provide such com-
9 mittees a briefing on, a plan for implementing the strat-
10 egy.

11 **SEC. 402. COORDINATING GOVERNMENT FINANCIAL TOOLS**
12 **FOR PUBLIC-PRIVATE COLLABORATION ON**
13 **CRITICAL MATERIAL INVESTMENTS.**

14 (a) IN GENERAL.—Not later than 90 days after the
15 date of the enactment of this Act, the Secretary of State
16 shall, in coordination with the Chief Executive Officer of
17 the United States International Development Finance
18 Corporation, the President of the Export-Import Bank of
19 the United States, and the Secretary of Energy, establish
20 a mechanism to share information with the private sector
21 on government financing tools available for investment in
22 projects outside the United States relating to critical ma-
23 terials.

24 (b) ELEMENTS.—The mechanism developed under
25 subsection (a) shall include—

1 (1) a single point person or office to lead the
2 effort to share information as described in that sub-
3 section;

4 (2) a publicly accessible website that details the
5 tools each relevant Federal agency has available to
6 support private sector investment in projects de-
7 scribed in that subsection, including for each such
8 tool at each such agency—

9 (A) the criteria required to receive support
10 pursuant to the relevant agency tool;

11 (B) a point of contact to coordinate and
12 advice on applying for that support;

13 (C) how applications can be submitted;

14 (D) the amount of funding available; and

15 (E) a list of projects carried out with that
16 support;

17 (3) policies to ensure that, in cases in which
18 due diligence and project vetting requirements are
19 similar across Federal agencies, an application filed
20 by an entity, if permitted by the entity, is shared
21 across relevant agencies to avoid unnecessary dupli-
22 cation;

23 (4) coordination of regular meetings of the rel-
24 evant Federal agencies—

1 (A) to coordinate projects and processes;
2 and

3 (B) to identify gaps in tools needed to sup-
4 port private sector investment in projects de-
5 scribed in subsection (a), including in coordina-
6 tion with the Minerals Investment Network for
7 Vital Energy Security and Transition
8 (MINVEST); and

9 (5) a way for private sector entities to regularly
10 engage with the relevant Federal agencies to identify
11 potential gaps in United States support and tools for
12 private industry attempting to invest in, operate, or
13 secure critical material projects outside the United
14 States.

15 (c) REPORT REQUIRED.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date of the enactment of this Act, the Sec-
18 retary of State shall submit to the appropriate com-
19 mittees of Congress a report on the plan required by
20 subsection (a), including each elements required
21 under subsection (b).

22 (2) FORM.—The report required by paragraph
23 (1) shall be submitted in unclassified form, but may
24 include a classified annex.

1 **TITLE V—COUNTERING THE**
2 **PEOPLE’S REPUBLIC OF CHI-**
3 **NA’S EFFORTS TO MANIPU-**
4 **LATE CRITICAL MATERIAL**
5 **MARKETS**

6 **SEC. 501. INCREASED SUPPORT FOR UNITED STATES PRO-**
7 **CUREMENT OF CRITICAL MATERIALS.**

8 (a) REPORT REQUIRED.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the
11 President shall submit to the appropriate commit-
12 tees of Congress a report setting forth a plan of ac-
13 tion for use of authorities, including a proposal for
14 new or expanded authorities, to establish or enhance
15 responsible domestic production and procurement ca-
16 pabilities, including through recycling, for critical
17 materials and related materials.

18 (2) ELEMENTS.—The report required by para-
19 graph (1) shall—

20 (A) include an identification of defense-
21 critical end products that are reliant on rare
22 earth elements and other critical materials for
23 which domestic industrial capabilities are insuf-
24 ficient;

25 (B) detail how the plan of action—

1 (i) aligns with existing Federal critical
2 materials strategies and recommendations,
3 including those developed pursuant to ap-
4 plicable Executive orders and statutes, to
5 produce a holistic response to address crit-
6 ical material supply chain risks; and

7 (ii) coordinates Federal authorities
8 and interagency efforts to implement such
9 strategies and recommendations, including
10 by identifying implementation challenges
11 and authorities or resources needed to
12 complete implementation and reduce
13 United States critical materials supply
14 chain vulnerability; and

15 (C) include recommendations to minimize
16 adverse environmental and social impacts from
17 the activities described in paragraph (1).

18 (b) DOMESTIC DEFINED.—In this section, the term
19 “domestic”, with respect to production capabilities or pro-
20 curement capabilities for critical materials and related ma-
21 terials, means—

22 (1) the production of such materials in a coun-
23 try specified in the definition of “domestic source”
24 in section 702 of the Defense Production Act of
25 1950 (50 U.S.C. 4552); or

1 (2) the procurement of such materials from a
2 business concern described in that definition.

3 **SEC. 502. REPORT ON IMPOSITION OF DUTIES ON**
4 **ELECTROMAGNETS, BATTERY CELLS, ELEC-**
5 **TRIC STORAGE BATTERIES, AND PHOTO-**
6 **VOLTAIC CELLS IMPORTED FROM CERTAIN**
7 **COUNTRIES.**

8 (a) **REPORT REQUIRED.**—Not later than 90 days
9 after the date of the enactment of this Act, the Secretary
10 of the Treasury shall submit to the appropriate commit-
11 tees of Congress a report assessing the imposition of a
12 duty on each article described in subsection (b).

13 (b) **ARTICLES DESCRIBED.**—An article described in
14 this subsection is an article classified under any of the
15 following headings or subheadings of the Harmonized Tar-
16 iff Schedule of the United States:

17 (1) 8505.

18 (2) 8506.

19 (3) 8507.

20 (4) 8541.42.00.

21 (5) 8541.43.00.

22 (c) **RECOMMENDATIONS.**—The report required by
23 subsection (a) shall include recommendations for—

24 (1) appropriate ranges for the rate of duty to
25 be applied to an article described in subsection (b)

1 that was produced or manufactured, or underwent
2 final assembly, in a country other than—

3 (A) an ally described in section 3(b)(2) of
4 the Arms Export Control Act (22 U.S.C.
5 2753(b)(2));

6 (B) a country designated by the President
7 as a major non-NATO ally under section 517 of
8 the Foreign Assistance Act of 1961 (22 U.S.C.
9 2321k);

10 (C) Mexico, if the United States-Mexico-
11 Canada Agreement, or a successor agreement,
12 is in effect;

13 (D) Costa Rica, El Salvador, Guatemala,
14 Honduras, and the Dominican Republic, if the
15 Dominican Republic-Central America Free
16 Trade Agreement, or a successor agreement, is
17 in effect;

18 (E) Chile, if the United States-Chile Free
19 Trade Agreement, or a successor agreement, is
20 in effect; and

21 (F) India, for a period of 10 years begin-
22 ning on the date of the enactment of this Act;
23 and

24 (2) the appropriate rate of duty to be applied
25 to an article described in subsection (b) that was

1 produced or manufactured, or underwent final as-
2 sembly, in the People's Republic of China.

3 (d) **ADDITIONAL ELEMENTS.**—The assessment re-
4 quired by subsection (a) shall include—

5 (1) a plan for implementing duties on articles
6 described in subsection (b) at the rates rec-
7 ommended under subsection (c); and

8 (2) an assessment of the risks and benefits of
9 increasing the rates of duty on such articles over a
10 period of time.

11 **SEC. 503. PROHIBITION ON PROVISION OF FUNDS TO FOR-**
12 **EIGN ENTITIES OF CONCERN.**

13 None of the funds authorized to be appropriated to
14 carry out this Act may be provided to a foreign entity of
15 concern.

16 **TITLE VI—WORKFORCE**
17 **DEVELOPMENT EFFORTS**

18 **SEC. 601. WORKFORCE DEVELOPMENT INITIATIVE.**

19 As soon as practicable, after the date of the enact-
20 ment of this Act, the Secretary of State shall establish
21 an initiative under which the Secretary works with the
22 Secretary of Labor, the Director of the National Science
23 Foundation, the Critical Minerals Subcommittee of the
24 National Science and Technology Council, the private sec-
25 tor, institutions of higher education, and workforce train-

1 ing entities to incentivize and expand participation in
2 graduate, undergraduate, and vocational programs, and to
3 develop workforce training programs and apprenticeships,
4 relating to advanced critical material mining, separation,
5 processing, recycling, metallurgy, and advanced equipment
6 maintenance capabilities.