

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# **S. 1871**

---

## **AN ACT**

To create intergovernmental coordination between State, local, Tribal, and territorial jurisdictions, and the Federal Government to combat United States reliance on the People's Republic of China and other covered countries for critical minerals and rare earth metals, 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 “Intergovernmental  
5 Critical Minerals Task Force Act”.

6 **SEC. 2. FINDINGS.**

7        Congress finds that—

8            (1) current supply chains of critical minerals  
9            pose a great risk to the national security of the  
10            United States;

11            (2) critical minerals are necessary for transpor-  
12            tation, technology, renewable energy, military equip-  
13            ment and machinery, and other relevant sectors cru-  
14            cial for the homeland and national security of the  
15            United States;

16            (3) in 2022, the United States was 100 percent  
17            import reliant for 12 out of 50 critical minerals and  
18            more than 50 percent import reliant for an addi-  
19            tional 31 critical mineral commodities classified as  
20            “critical” by the United States Geological Survey,  
21            and the People’s Republic of China was the top pro-  
22            ducing nation for 30 of those 50 critical minerals;

23            (4) as of July 2023, companies based in the  
24            People’s Republic of China that extract critical min-



1           “(B) to make recommendations to the  
2 President for the implementation of this Act  
3 with regard to critical minerals, including—

4                   “(i) the congressional declarations of  
5 policies in section 3; and

6                   “(ii) revisions to the program plan of  
7 the President and the initiatives required  
8 under this section;

9           “(C) to make recommendations to secure  
10 United States supply chains for critical min-  
11 erals;

12           “(D) to make recommendations to reduce  
13 the reliance of the United States, and partners  
14 and allies of the United States, on critical min-  
15 eral supply chains involving covered countries;  
16 and

17           “(E) consistent with ongoing efforts of  
18 other Federal departments, agencies, and other  
19 entities, to facilitate cooperation, coordination,  
20 and mutual accountability among each level of  
21 the Federal Government, Indian Tribes, and  
22 State, local, and territorial governments, on a  
23 holistic response to the dependence on covered  
24 countries for critical minerals across the United  
25 States.

1 “(2) DEFINITIONS.—In this subsection:

2 “(A) APPROPRIATE COMMITTEES OF CON-  
3 GRESS.—The term ‘appropriate committees of  
4 Congress’ means—

5 “(i) the Committees on Homeland Se-  
6 curity and Governmental Affairs, Energy  
7 and Natural Resources, Armed Services,  
8 Environment and Public Works, Com-  
9 merce, Science, and Transportation, Fi-  
10 nance, and Foreign Relations of the Sen-  
11 ate; and

12 “(ii) the Committees on Oversight and  
13 Accountability, Natural Resources, Armed  
14 Services, Ways and Means, Foreign Af-  
15 fairs, and Energy and Commerce of the  
16 House of Representatives.

17 “(B) CHAIRPERSON; CO-CHAIRPERSON.—  
18 The terms ‘Chairperson’ and ‘Co-Chairperson’,  
19 respectively, mean the Chairperson or Co-Chair-  
20 person of the task force designated by the  
21 President pursuant to paragraph (3)(A).

22 “(C) COVERED COUNTRY.—The term ‘cov-  
23 ered country’ means—

1           “(i) a covered nation (as defined in  
2           section 4872(d) of title 10, United States  
3           Code); and

4           “(ii) any other country determined by  
5           the task force to be a geostrategic compet-  
6           itor or adversary of the United States with  
7           respect to critical minerals.

8           “(D) CRITICAL MINERAL.—The term ‘crit-  
9           ical mineral’ has the meaning given the term in  
10          section 7002(a) of the Energy Act of 2020 (30  
11          U.S.C. 1606(a)).

12          “(E) INDIAN TRIBE.—The term ‘Indian  
13          Tribe’ has the meaning given the term in sec-  
14          tion 4 of the Indian Self-Determination and  
15          Education Assistance Act (25 U.S.C. 5304).

16          “(F) TASK FORCE.—The term ‘task force’  
17          means the task force established under para-  
18          graph (3)(B).

19          “(3) ESTABLISHMENT.—Not later than 90 days  
20          after the date of enactment of this subsection, the  
21          President shall—

22                 “(A) designate a Chairperson, or 2 individ-  
23                 uals as Co-Chairpersons, for the task force, who  
24                 shall be—

1 “(i) the Assistant to the President for  
2 National Security Affairs;

3 “(ii) the Assistant to the President for  
4 Economic Policy; or

5 “(iii) another relevant member of the  
6 Executive Office of the President; and

7 “(B) acting through the Executive Office  
8 of the President, establish a task force.

9 “(4) COMPOSITION; MEETINGS.—

10 “(A) APPOINTMENT.—The Chairperson or  
11 Co-Chairpersons, in consultation with key inter-  
12 governmental, private, and public sector stake-  
13 holders, shall appoint to the task force rep-  
14 resentatives with expertise in critical mineral  
15 supply chains from Federal agencies, including  
16 not less than 1 representative from each of—

17 “(i) the Bureau of Indian Affairs;

18 “(ii) the Bureau of Land Manage-  
19 ment;

20 “(iii) the Critical Minerals Sub-  
21 committee of the National Science and  
22 Technology Council;

23 “(iv) the Department of Agriculture;

24 “(v) the Department of Commerce;

25 “(vi) the Department of Defense;

- 1 “(vii) the Department of Energy;
- 2 “(viii) the Department of Homeland  
3 Security;
- 4 “(ix) the Department of the Interior;
- 5 “(x) the Department of Labor;
- 6 “(xi) the Department of State;
- 7 “(xii) the Department of Transpor-  
8 tation;
- 9 “(xiii) the Environmental Protection  
10 Agency;
- 11 “(xiv) the Export-Import Bank of the  
12 United States;
- 13 “(xv) the Forest Service;
- 14 “(xvi) the General Services Adminis-  
15 tration;
- 16 “(xvii) the National Economic Coun-  
17 cil;
- 18 “(xviii) the National Science Founda-  
19 tion;
- 20 “(xix) the National Security Council;
- 21 “(xx) the Office of Management and  
22 Budget;
- 23 “(xxi) the Office of the United States  
24 Trade Representative;



1           “(xxii) the United States Inter-  
2           national Development Finance Corpora-  
3           tion;

4           “(xxiii) the United States Geological  
5           Survey; and

6           “(xxiv) any other relevant Federal en-  
7           tity, as determined by the Chairperson or  
8           Co-Chairpersons.

9           “(B) CONSULTATION.—The task force  
10          shall consult individuals with expertise in crit-  
11          ical mineral supply chains, individuals from  
12          States whose communities, businesses, and in-  
13          dustries are involved in aspects of critical min-  
14          eral supply chains, including mining and proc-  
15          essing operations, and individuals from a di-  
16          verse and balanced cross-section of—

17                 “(i) intergovernmental consultees, in-  
18                 cluding—

19                         “(I) State governments;

20                         “(II) local governments;

21                         “(III) territorial governments;

22                         and

23                         “(IV) Indian Tribes; and

24                         “(ii) other stakeholders, including—

1                   “(I) academic research institu-  
2                   tions;

3                   “(II) corporations;

4                   “(III) nonprofit organizations;

5                   “(IV) private sector stakeholders;

6                   “(V) trade associations;

7                   “(VI) mining industry stake-  
8                   holders; and

9                   “(VII) labor representatives.

10                  “(C) MEETINGS.—

11                   “(i) INITIAL MEETING.—Not later  
12                   than 90 days after the date on which all  
13                   representatives of the task force have been  
14                   appointed, the task force shall hold the  
15                   first meeting of the task force.

16                   “(ii) FREQUENCY.—The task force  
17                   shall meet not less than once every 90  
18                   days.

19                  “(5) DUTIES.—

20                   “(A) IN GENERAL.—The duties of the task  
21                   force shall include—

22                   “(i) facilitating cooperation, coordina-  
23                   tion, and mutual accountability for the  
24                   Federal Government, Indian Tribes, and  
25                   State, local, and territorial governments to

1 enhance data sharing and transparency to  
2 build more robust and secure domestic  
3 supply chains for critical minerals in sup-  
4 port of the purposes described in para-  
5 graph (1);

6 “(ii) providing recommendations with  
7 respect to—

8 “(I) increasing capacities for  
9 mining, processing, refinement, reuse,  
10 and recycling of critical minerals in  
11 the United States to facilitate the en-  
12 vironmentally responsible production  
13 of domestic resources to meet national  
14 critical mineral needs, in consultation  
15 with Tribal and local communities;

16 “(II) identifying how statutes,  
17 regulations, and policies related to the  
18 critical mineral supply chain, such as  
19 stockpiling and development finance,  
20 could be modified to accelerate envi-  
21 ronmentally responsible domestic and  
22 international production of critical  
23 minerals, in consultation with Indian  
24 Tribes and local communities;

1           “(III) strengthening the domestic  
2 workforce to support growing critical  
3 mineral supply chains with good-pay-  
4 ing, safe jobs in the United States;

5           “(IV) identifying alternative do-  
6 mestic sources to critical minerals  
7 that the United States currently relies  
8 on the People’s Republic of China or  
9 other covered countries for mining,  
10 processing, refining, and recycling, in-  
11 cluding the availability, capacity, cost,  
12 and quality of those domestic alter-  
13 natives;

14           “(V) identifying critical minerals  
15 and critical mineral supply chains that  
16 the United States can onshore, in  
17 whole or in part, at a competitive  
18 value and quality, for those minerals  
19 and supply chains that the United  
20 States relies on the People’s Republic  
21 of China or other covered countries to  
22 provide;

23           “(VI) opportunities for the Fed-  
24 eral Government, Indian Tribes, and  
25 State, local, and territorial govern-

1           ments to mitigate risks to the national  
2           security of the United States with re-  
3           spect to supply chains for critical min-  
4           erals that the United States currently  
5           relies on the People’s Republic of  
6           China or other covered countries for  
7           mining, processing, refining, and recy-  
8           cling; and

9                   “(VII) evaluating and integrating  
10           the recommendations of the Critical  
11           Minerals Subcommittee of the Na-  
12           tional Science and Technology Council  
13           into the recommendations of the task  
14           force;

15                   “(iii) prioritizing the recommendations  
16           in clause (ii), taking into consideration eco-  
17           nomic costs and focusing on the critical  
18           mineral supply chains with vulnerabilities  
19           posing the most significant risks to the na-  
20           tional security of the United States;

21                   “(iv) recommending specific strate-  
22           gies, to be carried out in coordination with  
23           the Secretary of State and the Secretary of  
24           Commerce, to strengthen international  
25           partnerships in furtherance of critical min-

1           erals supply chain security with inter-  
2           national allies and partners, including a  
3           strategy to collaborate with governments of  
4           the allies and partners described in sub-  
5           paragraph (B) to develop advanced mining,  
6           refining, separation and processing tech-  
7           nologies; and

8                   “(v) other duties, as determined by  
9           the Chairperson or Co-Chairpersons.

10           “(B) ALLIES AND PARTNERS.—The allies  
11           and partners referred to in subparagraph (A)  
12           include—

13                   “(i) countries participating in the  
14           Quadrilateral Security Dialogue;

15                   “(ii) countries that are—

16                           “(I) signatories to the Abraham  
17           Accords; or

18                           “(II) participants in the Negev  
19           Forum; and

20                   “(iii) countries that are members of  
21           the North Atlantic Treaty Organization.

22           “(C) REPORT.—The Chairperson or Co-  
23           Chairpersons shall—

24                   “(i) not later than 60 days after the  
25           date of enactment of this subsection, and

1 every 60 days thereafter until the require-  
2 ments under subsection (a) are satisfied,  
3 brief the appropriate committees of Con-  
4 gress on the status of the compliance of  
5 the President with completing the require-  
6 ments under that subsection;

7 “(ii) not later than 2 years after the  
8 date of enactment of this subsection, sub-  
9 mit to the appropriate committees of Con-  
10 gress a report, which shall be submitted in  
11 unclassified form, but may include a classi-  
12 fied annex, that describes any findings,  
13 guidelines, and recommendations created  
14 in performing the duties under subpara-  
15 graph (A);

16 “(iii) not later than 120 days after  
17 the date on which the Chairperson or Co-  
18 Chairpersons submits the report under  
19 clause (ii), publish that report in the Fed-  
20 eral Register, except that the Chairperson  
21 or Co-Chairpersons shall redact informa-  
22 tion from the report that the Chairperson  
23 or Co-Chairpersons determines could pose  
24 a risk to the national security of the

1 United States by being publicly available;  
2 and

3 “(iv) brief the appropriate committees  
4 of Congress twice per year.

5 “(6) DUPLICATION OF EFFORT.—The Chair-  
6 person or Co-Chairpersons, to the maximum extent  
7 practicable, shall carry out the task force in a man-  
8 ner that does not duplicate the efforts of other Fed-  
9 eral departments, agencies, or other entities.

10 “(7) SUNSET.—The task force shall terminate  
11 on the date that is 90 days after the date on which  
12 the task force completes the requirements under  
13 paragraph (5)(C).

14 “(8) NO ADDITIONAL FUNDS.—No additional  
15 funds are authorized to be appropriated for the pur-  
16 pose of carrying out this subsection.”.

17 (b) GAO STUDY.—

18 (1) STUDY REQUIRED.—The Comptroller Gen-  
19 eral of the United States shall conduct a study ex-  
20 amining the Federal and State regulatory landscape  
21 related to improving domestic supply chains for crit-  
22 ical minerals in the United States.

23 (2) REPORT.—Not later than 18 months after  
24 the date of enactment of this Act, the Comptroller  
25 General of the United States shall submit to the ap-



1 appropriate committees of Congress a report that de-  
2 scribes the results of the study under paragraph (1).

3 (3) DEFINITIONS.—In this subsection:

4 (A) APPROPRIATE COMMITTEES OF CON-  
5 GRESS.—The term “appropriate committees of  
6 Congress” means—

7 (i) the Committees on Homeland Se-  
8 curity and Governmental Affairs, Energy  
9 and Natural Resources, Armed Services,  
10 Environment and Public Works, Com-  
11 merce, Science, and Transportation, Fi-  
12 nance, and Foreign Relations of the Sen-  
13 ate; and

14 (ii) the Committees on Oversight and  
15 Accountability, Natural Resources, Armed  
16 Services, Ways and Means, Foreign Af-  
17 fairs, and Energy and Commerce of the  
18 House of Representatives.

19 (B) CRITICAL MINERAL.—The term “crit-  
20 ical mineral” has the meaning given the term in

1 section 7002(a) of the Energy Act of 2020 (30  
2 U.S.C. 1606(a)).

Passed the Senate September 18, 2024.

Attest:

*Secretary.*



118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1871**

---

**AN ACT**

To create intergovernmental coordination between State, local, Tribal, and territorial jurisdictions, and the Federal Government to combat United States reliance on the People's Republic of China and other covered countries for critical minerals and rare earth metals, and for other purposes.