

AMENDMENT TO RULES COMMITTEE PRINT 119-

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OFFERED BY MRS. BIGGS OF SOUTH CAROLINA

At the end of subtitle B of title XIV, insert the following new section:

1 **SEC. 14___. GOVERNMENT-WIDE CRITICAL MINERAL PRO-**
2 **CUREMENT AND RESALE AUTHORITIES FEA-**
3 **SIBILITY STUDY.**

4 (a) IN GENERAL.—The Secretary of Defense, in co-
5 ordination with the Secretary of the Interior, the Sec-
6 retary of Commerce, the Administrator of the General
7 Services Administration, and the heads of other relevant
8 Executive agencies, shall carry out a study on the feasi-
9 bility of providing to the heads of all Executive agencies
10 critical mineral procurement and resale authorities similar
11 to those of the Secretary of Defense.

12 (b) CONTENTS.—The study required by subsection
13 (a) shall include the following:

14 (1) An assessment of the need of Executive
15 agencies for critical mineral procurement and resale
16 authorities similar to those of the Secretary of De-
17 fense.

1 (2) An evaluation of the legal, regulatory, and
2 logistical barriers to providing to the heads of all
3 Executive agencies critical mineral procurement and
4 resale authorities similar to those of the Secretary of
5 Defense.

6 (3) An analysis of the economic and strategic
7 effects of allowing Executive agencies to resell excess
8 critical minerals on the open market, including po-
9 tential effects on the domestic supply chains and
10 international trade.

11 (4) Recommendations for legislative or regu-
12 latory changes necessary to providing to the heads
13 of all Executive agencies critical mineral procure-
14 ment and resale authorities similar to those of the
15 Secretary of Defense, including safeguards to pre-
16 vent market disruption or misuse of proceeds result-
17 ing from the use of such authorities by such heads.

18 (c) REPORT TO CONGRESS.—

19 (1) IN GENERAL.—Not later than 180 days
20 after the date of enactment of this Act, the Sec-
21 retary of Defense shall submit to the congressional
22 defense committees a report on the findings of the
23 study required by subsection (a).

1 (2) FORM.—The report required by paragraph
2 (1) shall be in an unclassified form, but may include
3 as classified annex.

4 (d) DEFINITIONS.—In this section:

5 (1) The term “critical mineral” has the mean-
6 ing given such term in section 7002(a) of the En-
7 ergy Act of 2020 (30 U.S.C. 1606(a)).

8 (2) The term “critical mineral procurement and
9 resale authority” includes any statutory authority of
10 a Executive agency to acquire, stockpile, manage,
11 sell, exchange, or otherwise dispose of critical min-
12 erals for purposes of national security, economic se-
13 curity, or emergency preparedness, including au-
14 thorities under section 303 of the Defense Produc-
15 tion Act of 1950 (50 U.S.C. 4533) and the Strategic
16 and Critical Materials Stock Piling Act (50 U.S.C.
17 98 et seq.), and any other authority that the Sec-
18 retary of Defense determines relevant.

19 (3) The term “Executive agency” has the
20 meaning given such term in section 105 of title 5,
21 United States Code.

