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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To provide for the establishment of a Critical Minerals Security Alliance,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PANETTA introduced the following bill; which was referred to the
Committee on _____

A BILL

To provide for the establishment of a Critical Minerals
Security Alliance, 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 “Restoring American
5 Mineral Security Act of 2025”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) a reliable supply chain of critical minerals
2 is essential to meet the defense, manufacturing, and
3 energy needs of the United States;

4 (2) as of the date of the enactment of this Act,
5 the United States is heavily dependent on the Peo-
6 ple's Republic of China for the production and proc-
7 essing of many key critical minerals;

8 (3) the Government of the People's Republic of
9 China has displayed a willingness to weaponize its
10 dominance of critical mineral production and has in-
11 tentionally created overcapacity and sold products at
12 below-market rates in order to gain market share
13 and move up the value chain;

14 (4) the United States must use trade tools to
15 combat those non-market policies and practices, and
16 the use of trade tools is most effective when under-
17 taken in coordination with trading partners; and

18 (5) by building an alliance of trusted trading
19 partners, the United States can combat the over-
20 supply and market manipulation of the People's Re-
21 public of China and promote the growth of a robust
22 domestic United States critical minerals industry.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Finance of the Sen-
5 ate; and

6 (B) the Committee on Ways and Means of
7 the House of Representatives.

8 (2) CRITICAL MINERAL.—The term “critical
9 mineral” means any mineral on the list of critical
10 minerals required by paragraph (3) of section
11 7002(c) of the Energy Act of 2020 (30 U.S.C.
12 1606(c)).

13 (3) DERIVATIVE PRODUCT.—The term “deriva-
14 tive product”—

15 (A) means a good that incorporates a crit-
16 ical mineral; and

17 (B) includes—

18 (i) a semi-finished good, such as a
19 semiconductor wafer, anode, or cathode;
20 and

21 (ii) a final product, such as a perma-
22 nent magnet, motor, electric vehicle, bat-
23 tery, smartphone, microprocessor, radar
24 system, wind turbine or a component of a
25 wind turbine, or advanced optical device.

1 (4) EXCLUDED DUTY.—The term “excluded
2 duty” means—

3 (A) antidumping and countervailing duties
4 imposed under title VII of the Tariff Act of
5 1930 (19 U.S.C. 1671 et seq.);

6 (B) duties, quotas, and tariff-rate quotas
7 imposed under chapter 1 of title II of the Trade
8 Act of 1974 (19 U.S.C. 2251 et seq.); and

9 (C) duties imposed consistent with a ruling
10 authorizing the suspension of benefits or con-
11 cessions on the part of the United States,
12 issued by—

13 (i) a dispute settlement panel con-
14 stituted under a bilateral or plurilateral
15 free trade agreement for which explicit
16 congressional approval pursuant to the re-
17 quirements of section 151 of the Trade Act
18 of 1974 (19 U.S.C. 2191) has been en-
19 acted before the date of the enactment of
20 this Act, before which the United States is
21 a party; or

22 (ii) a dispute settlement panel de-
23 scribed in section 123 of the Uruguay
24 Rounds Agreement Act (19 U.S.C. 3533)
25 before which the United States is a party.

1 (5) FOREIGN COUNTRY OF CONCERN.—The
2 term “foreign country of concern”—

3 (A) has the meaning given that term in
4 section 9901 of the William M. (Mac) Thorn-
5 berry National Defense Authorization Act for
6 Fiscal Year 2021 (15 U.S.C. 4651); and

7 (B) includes the Bolivarian Republic of
8 Venezuela.

9 (6) FOREIGN ENTITY OF CONCERN.—The term
10 “foreign entity of concern” has the meaning given
11 that term in section 9901 of the William M. (Mac)
12 Thornberry National Defense Authorization Act for
13 Fiscal Year 2021 (15 U.S.C. 4651), except that sub-
14 paragraph (C) of that section shall be applied and
15 administered by substituting “a foreign country of
16 concern” for “a foreign country” and all that follows
17 through “title 10, United States Code”.

18 (7) PROCESSED.—The term “processed”, with
19 respect to a critical mineral, means the mineral has
20 undergone the activities that occur after critical min-
21 eral ore is extracted from a mine up through its con-
22 version into a metal, metal powder, or a master
23 alloy.

24 (8) SELECT DERIVATIVE PRODUCT.—The term
25 “select derivative product” means a permanent mag-

1 net, a lithium-ion battery for an electrical vehicle, a
2 lithium-ion battery for a vehicle that is not an elec-
3 trical vehicle, or a part for a battery that is not a
4 lithium-ion battery.

5 (9) TRADE REPRESENTATIVE.—The term
6 “Trade Representative” means the United States
7 Trade Representative.

8 **SEC. 4. CRITICAL MINERALS SECURITY ALLIANCE.**

9 (a) AUTHORIZATION FOR NEGOTIATIONS.—

10 (1) IN GENERAL.—The Trade Representative
11 may enter into negotiations with countries to enter
12 into an alliance, to be known as the “Critical Min-
13 erals Security Alliance” (in this section referred to
14 as the “Alliance”), to establish a reliable supply
15 chain of critical minerals.

16 (2) CONSULTATIONS.—While conducting nego-
17 tiations pursuant to paragraph (1), the Trade Rep-
18 resentative shall consult with the Secretary of Com-
19 merce, the Secretary of the Treasury, the Secretary
20 of State, and the appropriate congressional commit-
21 tees.

22 (b) ELIGIBILITY CRITERIA.—A country is eligible to
23 enter into the Alliance if the government of the country—

24 (1) either—

1 (A) increases the rates of duty the country
2 charges for mined and processed critical min-
3 erals and select derivative products sourced
4 from foreign countries of concern to rates that
5 are not less than the rates of duty for mined
6 and processed critical minerals and select deriv-
7 ative products, respectively, sourced from the
8 People's Republic of China imposed by the
9 United States pursuant to section 301 of the
10 Trade Act of 1974 (19 U.S.C. 2411) and in ef-
11 fect on January 1, 2026;

12 (B) agrees to increase the rates of duty de-
13 scribed in subparagraph (A) to the rates re-
14 quired in such subparagraph over a period of
15 not more than 5 years; or

16 (C) adopts measures comparable to, or
17 greater in effect than, the trade remedies avail-
18 able under title III of the Trade Act of 1974
19 (19 U.S.C. 2411 et seq.), such as prohibitions
20 or quotas on the importation into the country
21 of mined and processed critical minerals and se-
22 lect derivative products sourced from foreign
23 countries of concern.

24 (2) agrees to meet and participate in regular
25 meetings of the Alliance;

1 (3) commits to continually review the capacity
2 of the country to extract and process critical min-
3 erals and share the results of those reviews with
4 other countries that are members of the Alliance;

5 (4) eliminates duties on imports of mined and
6 processed critical minerals and select derivative
7 products from countries that are members of the Al-
8 liance, other than excluded duties;

9 (5) takes actions that are complementary to the
10 actions of the United States to address unfair trade
11 policies of a country that is not a member of the Al-
12 liance, including actions—

13 (A) to address the potential illicit shipment
14 of critical minerals and derivative products, spe-
15 cifically transshipment that is intended to cir-
16 cumvent duties, evade customs enforcement, or
17 obfuscate the origin of products produced in
18 whole or in part with forced labor;

19 (B) to establish or maintain robust invest-
20 ment screening mechanisms, including to screen
21 investments in entities that produce critical
22 minerals and derivative products, that are at
23 least as effective as the national security re-
24 views and investigations required under section

1 721 of the Defense Production Act of 1950 (50
2 U.S.C. 4565); and

3 (C) to ensure effective trade remedies
4 against imports of critical minerals and deriva-
5 tive products sourced from a foreign country of
6 concern or a foreign entity of concern;

7 (6) works with the United States to establish a
8 mechanism to address shared threats to members of
9 the Alliance from investments by foreign countries of
10 concern;

11 (7) engages in discussions with the United
12 States regarding trade and ways to promote and
13 protect the economic security of the Alliance in sec-
14 tors other than critical minerals; and

15 (8) coordinates with the United States to enact
16 or maintain policies to impose rates of duty as speci-
17 fied in paragraph (1)(A) on mined and processed
18 critical minerals and select derivative products that
19 are sourced from foreign entities of concern.

20 (c) ENGAGEMENT.—The Trade Representative shall
21 engage with countries that trade with the United States
22 of the United States and encourage such countries to take
23 the measures necessary to comply with the eligibility cri-
24 teria described in subsection (b).

25 (d) CERTIFICATIONS OF ELIGIBILITY.—

1 (1) IN GENERAL.—If the Trade Representative
2 determines that a country complies with the eligi-
3 bility criteria described in subsection (b), the Trade
4 Representative shall submit to the appropriate con-
5 gressional committees—

6 (A) a certification that the country is eligi-
7 ble for admittance into the Alliance; and

8 (B) a report describing—

9 (i) the compliance of such country
10 with respect to the eligibility criteria de-
11 scribed in subsection (b); and

12 (ii) the critical minerals sector of such
13 country.

14 (2) NOTICE.—The submission of a certification
15 under paragraph (1) with respect to a country shall
16 be considered notice of the intention of the Trade
17 Representative to enter into an agreement providing
18 for the admittance of the country in the Alliance for
19 purposes of subsection (i).

20 (e) NEGOTIATING OBJECTIVES.—In conducting nego-
21 tiations under subsection (a), the Trade Representative
22 shall seek to establish a reliable supply chain for—

23 (1) not less than 90 percent of the critical min-
24 erals on the list required by section 7002(c)(1) of
25 the Energy Act of 2020 (30 U.S.C. 1606(c)(1)); and

1 (2) 100 percent of select derivative products.

2 (f) ENTRY INTO FORCE.—An agreement providing
3 for the admittance of a country into the Alliance may
4 enter into force if—

5 (1) a joint resolution of approval is enacted into
6 law under subsection (i) after the submission of a
7 certification that the country is eligible for admit-
8 tance into the Alliance under subsection (d); or

9 (2) a period of 90 days has elapsed after the
10 submission of a certification that the country is eli-
11 gible for admittance into the Alliance under sub-
12 section (d) and a joint resolution of disapproval is
13 not enacted into law under subsection (i) during that
14 90-day period.

15 (g) DUTY-FREE TREATMENT AFTER ENTRY INTO
16 FORCE.—Upon the entry into force of an agreement pro-
17 viding for the admittance of a country into the Alliance,
18 mined and processed critical minerals and select derivative
19 products imported from the country shall—

20 (1) enter the United States free of duty, except
21 for excluded duties; and

22 (2) be exempt from any duties imposed under
23 section 301 of the Trade Act of 1974 (19 U.S.C.
24 2411) or section 232 of the Trade Expansion Act of

1 1962 (19 U.S.C. 1862) on or after the date of entry
2 into force of the agreement.

3 (h) MODIFICATIONS TO AGREEMENTS.—A modifica-
4 tion to an agreement providing for the admittance of a
5 country into the Alliance shall take effect if—

6 (1) the Trade Representative submits to the ap-
7 propriate congressional committees notice of the in-
8 tention of the Trade Representative to agree to the
9 modification; and

10 (2)(A) a joint resolution of approval is enacted
11 into law under subsection (i) after the submission of
12 that notice; or

13 (B) a period of 90 days has elapsed after the
14 submission of that notice and a joint resolution of
15 disapproval is not enacted into law under subsection
16 (i) during that 90-day period.

17 (i) JOINT RESOLUTIONS.—

18 (1) DEFINITIONS.—In this subsection:

19 (A) COVERED ACTION.—The term “cov-
20 ered action” means—

21 (i) the entry into an agreement pro-
22 viding for the admittance of a country into
23 the Alliance; or

24 (ii) a modification to such an agree-
25 ment.

1 (B) COVERED JOINT RESOLUTION.—The
2 term “covered joint resolution” means a joint
3 resolution of approval or a joint resolution of
4 disapproval.

5 (C) JOINT RESOLUTION OF APPROVAL.—
6 The term “joint resolution of approval” means
7 a joint resolution the sole matter after the re-
8 solving clause of which is the following: “That
9 Congress approves the covered action relating
10 to _____, notice of which was submitted to
11 Congress on _____ under section 4 of the Re-
12 storing American Mineral Security Act of
13 2025.”, with the first blank space being filled
14 with a brief description of the covered action
15 and the second blank space being filled with the
16 appropriate date.

17 (D) JOINT RESOLUTION OF DIS-
18 APPROVAL.—The term “joint resolution of dis-
19 approval” means a joint resolution the sole
20 matter after the resolving clause of which is the
21 following: “That Congress does not approve the
22 covered action relating to _____, notice of
23 which was submitted to Congress on _____
24 under section 4 of the Restoring American Min-
25 eral Security Act of 2025.”, with the first blank

1 space being filled with a brief description of the
2 covered action and the second blank space being
3 filled with the appropriate date.

4 (2) INTRODUCTION.—A covered joint resolution
5 may be introduced in the Senate or the House of
6 Representatives by any Member of the Senate or the
7 House, respectively.

8 (3) CONSIDERATION.—The provisions of sub-
9 sections (b) through (f) of section 152 of the Trade
10 Act of 1974 (19 U.S.C. 2192) shall apply to a cov-
11 ered joint resolution to the same extent and in the
12 same manner as such subsections apply to resolu-
13 tions described in such section 152.

14 (4) RULES OF SENATE AND HOUSE OF REP-
15 REPRESENTATIVES.—This subsection is enacted by Con-
16 gress—

17 (A) as an exercise of the rulemaking power
18 of the Senate and the House of Representa-
19 tives, respectively, and as such is deemed a part
20 of the rules of each House, respectively, but ap-
21 plicable only with respect to the procedure to be
22 followed in that House in the case of a joint
23 resolution under this subsection, and supersedes
24 other rules only to the extent that it is incon-
25 sistent with such rules; and

1 (B) with full recognition of the constitu-
2 tional right of either House to change the rules
3 (so far as relating to the procedure of that
4 House) at any time, in the same manner, and
5 to the same extent as in the case of any other
6 rule of that House.

7 (j) REVIEWS BY UNITED STATES.—

8 (1) IN GENERAL.—Not later than 3 years after
9 the entry into force of the first agreement providing
10 for the admittance of a country into the Alliance,
11 and every 3 years thereafter while the Alliance re-
12 mains in effect, the Trade Representative, in con-
13 sultation with the heads of relevant Federal agencies
14 and appropriate congressional committees, shall—

15 (A) review the capacity of the United
16 States to extract and process critical minerals
17 to determine whether it is appropriate to termi-
18 nate or modify the Alliance; and

19 (B) if commercially significant quantities
20 of a critical mineral are produced in the United
21 States, consider seeking the removal of that
22 critical mineral from the products covered by
23 the Alliance.

24 (2) FIRST REVIEW.—As part of the first review
25 conducted under paragraph (1), the Trade Rep-

1 representative shall assess the feasibility and advis-
2 ability of—

3 (A) expanding the scope of products cov-
4 ered by the Alliance to include derivative prod-
5 ucts; or

6 (B) otherwise expanding or restricting the
7 scope of products covered by the Alliance.

8 (3) REVIEW OF DUTY RATES.—As part of each
9 review conducted under paragraph (1), the Trade
10 Representative shall assess whether countries that
11 are members of the Alliance should adjust the rates
12 of duty imposed on mined and processed critical
13 minerals that are sourced from foreign countries of
14 concern.

15 (k) ANNUAL REPORTS.—Not later than one year
16 after the date of the enactment of this Act, and annually
17 thereafter, the Trade Representative shall submit to the
18 appropriate congressional committees a report that in-
19 cludes—

20 (1) a description of engagement with countries
21 that trade with the United States under subsection
22 (c);

23 (2) with respect to each trading partner that
24 the Trade Representative determines does not meet
25 the criteria eligibility criteria under subsection (b), a

1 detailed description of the deficiencies of the govern-
2 ment of the country in complying with the criteria;
3 and

4 (3) the information provided by countries that
5 are members of the Alliance with respect to the ca-
6 pacities of such countries to extract and process crit-
7 ical minerals.

8 **SEC. 5. INCREASE IN DUTIES ON IMPORTS OF MINED AND**
9 **PROCESSED CRITICAL MINERALS AND SE-**
10 **LECT DERIVATIVE PRODUCTS FROM FOR-**
11 **EIGN COUNTRIES OF CONCERN.**

12 Upon the entry into force of the first agreement pro-
13 viding for the admittance of a country into the Critical
14 Minerals Security Alliance under section 4, mined and
15 processed critical minerals and select derivative products
16 imported into the United States and sourced from a for-
17 eign country of concern shall be subject to the rate of duty
18 in effect on January 1, 2026, and applicable to such prod-
19 ucts sourced from the People's Republic of China pursu-
20 ant to section 301 of the Trade Act of 1974 (19 U.S.C.
21 2411).

1 **SEC. 6. TRUST FUND TO SUPPORT UNITED STATES CRIT-**
2 **ICAL MINERAL MINING AND PROCESSING**
3 **PROJECTS.**

4 (a) ESTABLISHMENT OF TRUST FUND.—There is es-
5 tablished in the Treasury of the United States a trust
6 fund, consisting of—

7 (1) amounts transferred to the trust fund under
8 subsection (b); and

9 (2) any amounts that may be credited to the
10 trust fund under subsection (c).

11 (b) TRANSFER OF AMOUNTS.—

12 (1) IN GENERAL.—For the first fiscal year in
13 which a country has been admitted to the Critical
14 Minerals Security Alliance under section 4 and each
15 fiscal year thereafter during which any foreign coun-
16 try is a member of such Alliance, the Secretary of
17 the Treasury shall transfer to the trust fund estab-
18 lished under subsection (a), from the general fund of
19 the Treasury, an amount equivalent to the amount
20 received into the general fund during that fiscal year
21 and attributable to duties collected on mined and
22 processed critical minerals imported into the United
23 States.

24 (2) FREQUENCY OF TRANSFERS.—The Sec-
25 retary shall transfer amounts required by paragraph

1 (1) to the trust fund established under subsection
2 (a) not less frequently than quarterly.

3 (c) INVESTMENT OF AMOUNTS.—

4 (1) INVESTMENT OF AMOUNTS.—The Secretary
5 shall invest such portion of the trust fund estab-
6 lished under subsection (a) as is not required to
7 meet current withdrawals in interest-bearing obliga-
8 tions of the United States or in obligations guaran-
9 teed as to both principal and interest by the United
10 States.

11 (2) INTEREST AND PROCEEDS.—The interest
12 on, and the proceeds from the sale or redemption of,
13 any obligations held in the trust fund established
14 under subsection (a) shall be credited to and form
15 a part of the trust fund.

16 (d) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

17 (1) IN GENERAL.—Amounts in the trust fund
18 established under subsection (a) shall be available,
19 without further appropriation, as follows:

20 (A) 60 percent of such amounts shall be
21 available to the Loan Programs Office of the
22 Department of Energy for activities to support
23 projects relating to—

24 (i) mining or processing critical min-
25 erals; or

1 (ii) manufacturing of select derivative
2 products.

3 (B) 20 percent of such amounts shall be
4 available to the Department of Defense for ac-
5 tivities to support projects relating to—

6 (i) mining or processing critical min-
7 erals; or

8 (ii) manufacturing of select derivative
9 products.

10 (C) 20 percent of such amounts shall be
11 available to the United States International De-
12 velopment Finance Corporation to support
13 international critical mineral projects in coun-
14 tries that are members of the Alliance.

15 (2) RULE OF CONSTRUCTION.—Nothing in this
16 subsection shall be construed to preclude a person
17 from seeking support for a project under both sub-
18 paragraphs (A) and (B) of paragraph (1).

19 (e) EXCEPTION FROM CERTAIN LIMITATION UNDER
20 BUILD ACT OF 2018.—

21 (1) IN GENERAL.—For purposes of providing
22 support for projects under subsection (d)(1)(C)—

23 (A) the United States International Devel-
24 opment Finance Corporation may provide sup-
25 port for projects in countries with upper-mid-

1 dle-income economies or high-income economies
2 (as those terms are defined by the World
3 Bank);

4 (B) the restriction under section
5 1412(c)(2) of the Better Utilization of Invest-
6 ments Leading to Development Act of 2018 (22
7 U.S.C. 9612(c)(2)) shall not apply; and

8 (C) the Corporation shall restrict the pro-
9 vision of such support in a country described in
10 subparagraph (A) unless the President certifies
11 to the appropriate committees of Congress
12 that—

13 (i) such support furthers the national
14 economic or foreign policy interests of the
15 United States;

16 (ii) such support is—

17 (I) designed to produce signifi-
18 cant developmental outcomes or pro-
19 vide developmental benefits to the
20 poorest population of that country; or

21 (II) necessary to preempt or
22 counter efforts by a strategic compet-
23 itor of the United States to secure
24 significant political or economic lever-
25 age or acquire national security-sen-

1 sitive technologies or infrastructure in
2 a country that is an ally or partner of
3 the United States; and

4 (iii)(I) a United States entity is par-
5 ticipating in the project for which the sup-
6 port is provided; or

7 (II) not less than 50 percent of the
8 critical minerals produced by the project
9 will be offered for sale to the Department
10 of Defense and United States entities be-
11 fore being offered for sale to other entities.

12 (2) DEFINITIONS.—In this subsection:

13 (A) APPROPRIATE COMMITTEES OF CON-
14 GRESS.—The term “appropriate committees of
15 Congress” means—

16 (i) the Committee on Foreign Rela-
17 tions and the Committee on Finance of the
18 Senate; and

19 (ii) the Committee on Foreign Affairs
20 and the Committee on Ways and Means of
21 the House of Representatives.

22 (B) LESS DEVELOPED COUNTRY.—The
23 term “less developed country” has the meaning
24 given that term in section 1402 of the Better

1 Utilization of Investments Leading to Develop-
2 ment Act of 2018 (22 U.S.C. 9601).

3 (C) UNITED STATES ENTITY.—The term
4 “United States entity” means an entity orga-
5 nized under the laws of the United States or
6 any jurisdiction within the United States.