

AMENDMENT NO. _____ Calendar No. _____

Purpose: To include prohibitions on the use of previously appropriated funds or previously available commitment authority for Department of Energy loan guarantees for projects that increase the domestically produced supply of critical minerals.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. _____

To invest in the energy and outdoor infrastructure of the United States to deploy new and innovative technologies, update existing infrastructure to be reliable and resilient, and secure energy infrastructure against physical and cyber threats, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 In section 4001(a), strike paragraph (2) and insert

2 the following:

3 (2) LOAN GUARANTEES FOR PROJECTS THAT

4 INCREASE THE DOMESTICALLY PRODUCED SUPPLY

5 OF CRITICAL MINERALS.—

6 (A) IN GENERAL.—Section 1703(b) of the

7 Energy Policy Act of 2005 (42 U.S.C.

1 16513(b)) is amended by adding at the end the
2 following:

3 “(13) Projects that increase the domestically
4 produced supply of critical minerals (as defined in
5 section 7002(a) of the Energy Act of 2020 (30
6 U.S.C. 1606(a)), including through the production,
7 processing, manufacturing, recycling, or fabrication
8 of mineral alternatives.”.

9 (B) PROHIBITION ON USE OF PREVIOUSLY
10 APPROPRIATED FUNDS.—Amounts appropriated
11 to the Department of Energy before the date of
12 enactment of this Act shall not be made avail-
13 able for the cost of loan guarantees made under
14 paragraph (13) of section 1703(b) of the En-
15 ergy Policy Act of 2005 (42 U.S.C. 16513(b)).

16 (C) PROHIBITION ON USE OF PREVIOUSLY
17 AVAILABLE COMMITMENT AUTHORITY.—
18 Amounts made available to the Department of
19 Energy for commitments to guarantee loans
20 under section 1703 of the Energy Policy Act of
21 2005 (42 U.S.C. 16513) before the date of en-
22 actment of this Act shall not be made available
23 for commitments to guarantee loans for projects
24 described in paragraph (13) of section 1703(b)

1 of the Energy Policy Act of 2005 (42 U.S.C.
2 16513(b)).