

119TH CONGRESS
2D SESSION

H. R. 3617

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2026

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To amend the Department of Energy Organization Act to secure the supply of critical energy resources, including critical minerals and other materials, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Securing America’s
3 Critical Minerals Supply Act”.

4 **SEC. 2. AMENDMENT TO THE DEPARTMENT OF ENERGY OR-**
5 **GANIZATION ACT.**

6 The Department of Energy Organization Act (42
7 U.S.C. 7101 et seq.) is amended—

8 (1) in section 2, by adding at the end the fol-
9 lowing:

10 “(d) As used in sections 102(20) and 203(a)(12), the
11 term ‘critical energy resource’ means any energy re-
12 source—

13 “(1) that is essential to the energy sector and
14 energy systems of the United States; and

15 “(2) the supply chain of which is vulnerable to
16 disruption.”;

17 (2) in section 102, by adding at the end the fol-
18 lowing:

19 “(20) To ensure there is an adequate and reli-
20 able supply of critical energy resources that are es-
21 sential to the energy security of the United States.”;
22 and

23 (3) in section 203(a), by adding at the end the
24 following:

25 “(12) Functions that relate to securing the sup-
26 ply of critical energy resources, including identifying

1 and mitigating the effects of a disruption of such
2 supply on—

3 “(A) the development and use of energy
4 technologies; and

5 “(B) the operation of energy systems.”.

6 **SEC. 3. SECURING CRITICAL ENERGY RESOURCE SUPPLY**
7 **CHAINS.**

8 (a) IN GENERAL.—In carrying out the requirements
9 of the Department of Energy Organization Act (42 U.S.C.
10 7101 et seq.), the Secretary of Energy, in consultation
11 with the appropriate Federal agencies, representatives of
12 the energy sector, States, and other stakeholders, shall—

13 (1) conduct ongoing assessments of—

14 (A) energy resource criticality, based on
15 the importance of critical energy resources to
16 the development of energy technologies and the
17 supply of energy;

18 (B) the critical energy resource supply
19 chain of the United States;

20 (C) the vulnerability of such supply chain;

21 (D) the diversity of domestic critical en-
22 ergy resource supply chains in the United
23 States, including the extent to which such di-
24 versity is sufficient to prevent monopolistic be-

1 havior, a single point of failure, or market ma-
2 nipulation;

3 (E) capacity constraints on the domestic
4 production of critical energy resources, includ-
5 ing any such constraint caused by a shortage of
6 material or labor;

7 (F) Federal regulations affecting the do-
8 mestic production or importation of critical en-
9 ergy resources;

10 (G) how the energy security of the United
11 States is affected by the reliance of the United
12 States on importation of critical energy re-
13 sources; and

14 (H) how adversarial nations seek to exploit
15 critical energy resource markets to undermine
16 investment in the United States, which may in-
17 clude the extent to which adversarial nations
18 employ anti-competitive practices, price manipu-
19 lation, or human rights abuses in critical energy
20 resource production and exportation;

21 (2) facilitate development of strategies to
22 strengthen critical energy resource supply chains in
23 the United States, including by—

24 (A) diversifying the sources of the supply
25 of critical energy resources; and

1 (B) increasing domestic production, sepa-
2 ration, and processing of critical energy re-
3 sources;

4 (3) develop substitutes and alternatives to crit-
5 ical energy resources; and

6 (4) improve technology that reuses and recycles
7 critical energy resources.

8 (b) REPORT.—Not later than two years after the date
9 of enactment of this Act, the Secretary of Energy shall
10 submit to the Committee on Energy and Commerce of the
11 House of Representatives and the Committee on Energy
12 and Natural Resources of the Senate a report on the sta-
13 tus of the assessments under subsection (a)(1), including
14 a description of any regulation prescribed, guidance
15 issued, or other action taken as a result of such an assess-
16 ment.

17 (c) CRITICAL ENERGY RESOURCE DEFINED.—In this
18 section, the term “critical energy resource” has the mean-
19 ing given such term in section 2 of the Department of
20 Energy Organization Act (42 U.S.C. 7101).

Passed the House of Representatives February 11,
2026.

Attest:

KEVIN F. MCCUMBER,

Clerk.