



CRITICAL MINERAL CONSISTENCY ACT OF 2025 (H.R. 755 & S.714)

WHAT:

The **Critical Mineral Consistency Act of 2025** seeks to eliminate inconsistencies between the U.S. Geological Survey's (USGS) Critical Minerals List and the Department of Energy's (DOE) Critical Materials List. The bill amends the Energy Act of 2020 to ensure that any critical material designated by the DOE is automatically classified as a critical mineral, as defined by the United States Geological Survey (USGS), reducing regulatory confusion and ensuring consistent federal recognition of key resources.

Currently, materials and minerals are eligible for different federal incentives and permitting benefits. Notably, only USGS critical minerals are eligible for the FAST-41 permitting program. FAST-41 streamlines the development process for a mine by coordinating expedited interagency reviews and limiting the statute of limitations for project litigation under the National Environmental Policy Act (NEPA) to two years. By merging the lists, the Critical Mineral Consistency Act ensures that all designated materials receive equal treatment under federal programs, providing standardization for industries reliant on these incentives.

WHY IT MATTERS:

The United States' reliance on foreign sources for critical minerals threatens national security, energy independence, and economic competitiveness. Disparities between DOE's Critical Materials List and USGS' Critical Minerals List have led to inefficiencies in resource development and policy implementation. For example, materials such as copper, silicon carbide, terbium, and electrical steel—which are crucial for clean energy technologies—are classified as critical materials but not critical minerals, limiting their eligibility for certain federal incentives.

By combining these lists, the bill ensures that materials essential for clean energy, defense, technology, and manufacturing receive the same federal benefits and prioritization. This change will support American mining and manufacturing jobs, provide investment certainty to industry, and bolster domestic mineral production, strengthening U.S. supply chains in the face of global competition.

WHAT'S NEXT:

The Critical Mineral Consistency Act passed in the House of Representatives in the 118th Congress. The bill has been introduced in both chambers in the 119th Congress with bipartisan support. If enacted, the bill will strengthen domestic mineral supply chains, eliminate

bureaucratic hurdles, and provide a clear, consistent federal policy for managing the nation's critical resources.

ORIGINAL SPONSOR:

S. 714

Sen. Mike Lee (R-UT)

H.R. 755

Rep. Juan Ciscomani (R-AZ)

COSPONSORS:

S. 714

Sen. Mark Kelly (D-AZ), Sen. Jon Ossoff (D-GA), Sen. Bill Cassidy (R-LA), Sen. John Curtis (R-UT), Sen. Jim Risch (R-ID)

H.R. 755

Rep. Abraham Hamadeh (R-AZ), Rep. Elijah Crane (R-AZ), Rep. Dan Newhouse (R-WA), Rep. Eric Swalwell (D-CA), Rep. Susie Lee (D-NV), Rep. Greg Stanton (D-AZ), Rep. Celeste Maloy (R-UT), Rep. Steven Horsford (D-NV), Rep. Brittany Pettersen (D-CO), Rep. Andy Biggs (R-AZ)

SUPPORT:

ClearPath Action, Transformer Manufacturing Association of America (TMAA), Zero Emission Transportation Association (ZETA), National Electric Manufacturers Association (NEMA), Business Council for Sustainable Energy (BCSE), Copper Development Association (CDA), and National Mining Association (NMA).

CONGRESS.GOV LINK:

[H.R. 755](#)

[S.714](#)

PRINTABLE SUMMARY: