

119TH CONGRESS
1ST SESSION

S. _____

To allow the Secretary of the Interior to enter into memoranda of understanding for the purpose of scientific and technical cooperation in the mapping of critical minerals and rare earth elements, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. COONS (for himself, Mr. YOUNG, Mr. HICKENLOOPER, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To allow the Secretary of the Interior to enter into memoranda of understanding for the purpose of scientific and technical cooperation in the mapping of critical minerals and rare earth elements, 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 “Finding Opportunities
5 for Resource Exploration Act” or the “Finding ORE Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ALLIED FOREIGN COUNTRY.—The term “al-
2 lied foreign country” means a country with which
3 the United States has entered into a mutual defense
4 treaty or other mutual defense agreement.

5 (2) CRITICAL MINERAL.—The term “critical
6 mineral” has the meaning given the term in section
7 7002(a) of the Energy Act of 2020 (30 U.S.C.
8 1606(a)).

9 (3) INSTITUTION OF HIGHER EDUCATION.—The
10 term “institution of higher education” has the
11 meaning given the term in section 101 of the Higher
12 Education Act of 1965 (20 U.S.C. 1001).

13 (4) PARTNER FOREIGN COUNTRY.—The term
14 “partner foreign country” means a country that is
15 a source of a critical mineral or rare earth element.

16 (5) RARE EARTH ELEMENT.—The term “rare
17 earth element” means cerium, dysprosium, erbium,
18 europium, gadolinium, holmium, lanthanum, lute-
19 tium, neodymium, praseodymium, promethium, sa-
20 marium, scandium, terbium, thulium, ytterbium, or
21 yttrium.

22 (6) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior, acting through the Di-
24 rector of the United States Geological Survey.

1 **SEC. 3. MEMORANDUM OF UNDERSTANDING WITH RE-**
2 **SPECT TO THE MAPPING OF CRITICAL MIN-**
3 **ERALS AND RARE EARTH ELEMENTS.**

4 (a) MEMORANDUM OF UNDERSTANDING.—The Sec-
5 retary may enter into a memorandum of understanding
6 with 1 or more heads of agencies of partner foreign coun-
7 tries with respect to scientific and technical cooperation
8 in the mapping of critical minerals and rare earth ele-
9 ments.

10 (b) OBJECTIVES.—In negotiating a memorandum of
11 understanding under subsection (a), the Secretary shall
12 seek to increase the security and resilience of international
13 supply chains for critical minerals and rare earth elements
14 by—

15 (1) committing to assisting the partner foreign
16 country through cooperative activities described in
17 subsection (c) that help the partner foreign country
18 map reserves of critical minerals and rare earth ele-
19 ments;

20 (2) ensuring that private companies
21 headquartered in the United States or an allied for-
22 eign country are offered the right of first refusal in
23 the further development of critical minerals and rare
24 earth elements in the partner foreign country;

25 (3) facilitating private-sector investment in the
26 exploration and development of critical minerals and

1 rare earth elements, including by leveraging pref-
2 erential financing from entities such as the United
3 States International Development Finance Corpora-
4 tion and the Export-Import Bank of the United
5 States that prioritizes projects committed to proc-
6 essing minerals in the United States or an allied for-
7 eign country; and

8 (4) ensuring that mapping data created through
9 the cooperative activities described in subsection (c)
10 is protected against unauthorized access by, or dis-
11 closure to, governmental or private entities based in
12 countries that are not—

13 (A) a party to the memorandum of under-
14 standing; or

15 (B) an allied foreign country.

16 (c) COOPERATIVE ACTIVITIES.—The cooperative ac-
17 tivities referred to in subsection (b) include—

18 (1) acquisition, compilation, analysis, and inter-
19 pretation of geologic, geophysical, geochemical, and
20 spectroscopic remote sensing data;

21 (2) prospectivity mapping and mineral resource
22 assessment;

23 (3) analysis of geoscience data, including devel-
24 oping derivative map products that can help more

1 effectively evaluate the mineral resources of the
2 partner foreign country;

3 (4) scientific collaboration to enhance the un-
4 derstanding and management of the natural re-
5 sources of the partner foreign country to contribute
6 to the sustainable development of the mineral re-
7 sources sector of that partner foreign country;

8 (5) training and capacity building in each area
9 described in paragraphs (1) through (4);

10 (6) facilitation of education and specialized
11 training in geoscience and mineral resource manage-
12 ment at institutions of higher education;

13 (7) training in relevant international standards
14 for relevant officials of the government and private
15 companies of the partner foreign country; and

16 (8) cooperation among entities of the partner
17 foreign country that are a party to the memorandum
18 of understanding and entities in the United States,
19 including Federal departments and agencies, institu-
20 tions of higher education, research centers, and pri-
21 vate companies.

22 (d) NOTIFICATION TO CONGRESS.—The Secretary
23 shall notify Congress not later than 30 days before the
24 Secretary intends to enter into a memorandum of under-
25 standing under subsection (a).

1 (e) COLLABORATION WITH SECRETARY OF STATE.—

2 The Secretary shall collaborate with the Secretary of State

3 in—

4 (1) prioritizing and selecting partner foreign
5 countries with which to enter into a memorandum of
6 understanding under subsection (a);

7 (2) negotiating a memorandum of under-
8 standing under subsection (a); and

9 (3) implementing a memorandum of under-
10 standing entered into under subsection (a).

11 (f) CONSULTATION WITH PRIVATE SECTOR.—The

12 Secretary shall consult with relevant private sector actors,

13 as the Secretary determines to be appropriate, in—

14 (1) prioritizing and selecting partner foreign
15 countries with which to enter into a memorandum of
16 understanding under subsection (a); and

17 (2) assessing how a memorandum of under-
18 standing can best facilitate private sector interest in
19 pursuing the further development of critical minerals
20 and rare earth elements in accordance with the ob-
21 jectives described in subsection (b).