

117TH CONGRESS  
2D SESSION

# H. R. 9078

To require that certain actions taken by the Secretary of Defense be treated as an eligible transportation project, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2022

Ms. SLOTKIN (for herself, Mr. WALTZ, Mr. GARAMENDI, Mr. HORSFORD, and Mr. COSTA) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To require that certain actions taken by the Secretary of Defense be treated as an eligible transportation project, 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 “Permit Reform In Min-  
5 ing for Energy and Defense Act” or the “PRIMED Act”.

1 **SEC. 2. TREATMENT OF ACTIONS UNDER PRESIDENTIAL**  
2 **DETERMINATION 2022–11 FOR FEDERAL PER-**  
3 **MITTING IMPROVEMENT PURPOSES.**

4 (a) IN GENERAL.—Except as provided by subsection  
5 (c), an action described in subsection (b) shall be—

6 (1) treated as a covered project, as defined in  
7 section 41001(6) of the Fixing America’s Surface  
8 Transportation Act (42 U.S.C. 4370m(6)), without  
9 regard to the requirements of that section; and

10 (2) included in the Permitting Dashboard main-  
11 tained pursuant to section 41003(b) of that Act (42  
12 U.S.C. 4370m–2(b)).

13 (b) ACTIONS DESCRIBED.—An action described in  
14 this subsection is an action taken by the Secretary of De-  
15 fense pursuant to Presidential Determination 2022–11  
16 (87 Fed. Reg. 19775; relating to certain actions under  
17 section 303 of the Defense Production Act of 1950) to  
18 create, maintain, protect, expand, or restore sustainable  
19 and responsible domestic production capabilities for stra-  
20 tegic and critical materials through—

21 (1) supporting feasibility studies for mature  
22 mining, beneficiation, and value-added processing  
23 projects;

24 (2) by-product and co-product production at ex-  
25 isting mining, mine waste reclamation, and other in-  
26 dustrial facilities;

1           (3) modernization of mining, beneficiation, and  
2           value-added processing to increase productivity, envi-  
3           ronmental sustainability, and workforce safety; or

4           (4) any other activity authorized under section  
5           303(a)(1) of the Defense Production Act of 1950  
6           (50 U.S.C. 4533(a)(1)).

7           (c) EXCEPTION.—An action described in subsection  
8           (b) may not be treated as a covered project or be included  
9           in the Permitting Dashboard under subsection (a) if the  
10          project sponsor (as defined in section 41001(18) of the  
11          Fixing America’s Surface Transportation Act (42 U.S.C.  
12          4370m(18))) requests that the action not be treated as  
13          a covered project.

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