

118TH CONGRESS
1ST SESSION

H. R. 2623

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2023

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

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 FAST Act (42 U.S.C.
8 4370m(6)), without regard to the requirements of
9 that section; and

10 (2) included in the Permitting Dashboard main-
11 tained pursuant to section 41003(b) of that Act (42
12 13 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) or
18 the Presidential Memorandum of February 27, 2023, ti-
19 tled “Presidential Waiver of Statutory Requirements Pur-
20 suant to Section 303 of the Defense Production Act of
21 1950, as amended, on Department of Defense Supply
22 Chains Resilience” (88 Fed. Reg. 13015) to create, main-
23 tain, protect, expand, or restore sustainable and respon-
24 sible domestic production capabilities through—

1 (1) supporting feasibility studies for mature
2 mining, beneficiation, and value-added processing
3 projects;

4 (2) byproduct and co-product production at ex-
5 isting mining, mine waste reclamation, and other in-
6 dustrial facilities;

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

10 (4) any other activity authorized under section
11 303(a)(1) of the Defense Production Act of 1950
12 (50 U.S.C. 4533(a)(1)).

13 (c) EXCEPTION.—An action described in subsection
14 (b) may not be treated as a covered project or be included
15 in the Permitting Dashboard under subsection (a) if the
16 project sponsor (as defined in section 41001(18) of the
17 FAST Act (42 U.S.C. 4370m(18))) requests that the ac-
18 tion not be treated as a covered project.

○