

118TH CONGRESS
2D SESSION

H. R. 8313

To prioritize Federal permitting for certain national defense activities related to the authorities under the Defense Production Act of 1950 and projects related to such activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2024

Mr. LUETKEMEYER introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prioritize Federal permitting for certain national defense activities related to the authorities under the Defense Production Act of 1950 and projects related to such activities, 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 “Help Expedite Lagging
5 Permitting for Defense Production Act” or the “Help
6 DPA Act”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) title III of the Defense Production Act of
4 1950 is used to ensure that our nation has sufficient
5 industrial resources to meet our national security
6 needs; and

7 (2) projects funded under such title are of crit-
8 ical importance to the national security are almost
9 always time sensitive.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) the Federal permitting process should not
13 delay crucial national defense projects any longer
14 than necessary; and

15 (2) projects funded under title III of the De-
16 fense Production Act of 1950 and projects given the
17 highest priority under title I of the Defense Produc-
18 tion Act of 1950 deserve an expedited Federal per-
19 mitting process.

20 **SEC. 3. IMPROVING PERMITTING FOR CERTAIN NATIONAL**
21 **DEFENSE SECTORS EXPERIENCING AN IN-**
22 **DUSTRIAL BASE SHORTFALL.**

23 (a) FASTER PERMITTING.—Section 41001(6)(A) of
24 the FAST Act (42 U.S.C. 4370m(6)(A)) is amended by
25 inserting “a covered national defense activity (as defined

1 in section 712(b) of the Defense Production Act of
2 1950),” after “energy storage,”.

3 (b) **PRIORITIZED PERMITTING.**—The Defense Pro-
4 duction Act of 1950 (50 U.S.C. 4501) is amended by in-
5 serting after section 711 the following:

6 **“SEC. 712. PRIORITIZED PERMITTING.**

7 “(a) **IN GENERAL.**—With respect to a project that
8 is a covered national defense activity, if such project re-
9 quires a permit from a Federal agency, the Federal agency
10 shall prioritize the consideration of such permit over all
11 over projects requiring a permit from the agency.

12 “(b) **COVERED NATIONAL DEFENSE ACTIVITY DE-**
13 **FINED.**—The term ‘covered national defense activity’
14 means a project—

15 “(1) funded in whole or in part with loans made
16 or guaranteed, or grants made, under title III;

17 “(2) in a sector essential for the national de-
18 fense with respect to which the President makes a
19 determination under this Act that the sector is expe-
20 riencing an industrial base shortfall; or

21 “(3) for the production of goods or services, the
22 contracts or orders for which the President has
23 deemed necessary or appropriate to promote the na-
24 tional defense and has prioritized under title I.”.

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