AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MS. SLOTKIN OF MICHIGAN

At the end of title XVIII, add the following:

SEC. ___. TREATMENT OF ACTIONS UNDER PRESIDENTIAL DETERMINATION 2022–11 FOR FEDERAL PERMITTING IMPROVEMENT PURPOSES.

(a) In General.—Except as provided by subsection (c), an action described in subsection (b) shall be—

(1) treated as a covered project, as defined in section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)), without regard to the requirements of that section; and

(2) included in the Permitting Dashboard maintained pursuant to section 41003(b) of that Act (42 U.S.C. 4370m–2(b)).

(b) Actions Described.—An action described in this subsection is an action taken by the Secretary of Defense pursuant to Presidential Determination 2022–11 (87 Fed. Reg. 19775; relating to certain actions under section 303 of the Defense Production Act of 1950) or the Presidential Memorandum of February 27, 2023, titled “Presidential Waiver of Statutory Requirements Pur-
suant to Section 303 of the Defense Production Act of 1950, as amended, on Department of Defense Supply Chains Resilience” (88 Fed. Reg. 13015) to create, maintain, protect, expand, or restore sustainable and responsible domestic production capabilities through—

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

(2) byproduct and co-product production at existing mining, mine waste reclamation, and other industrial facilities;

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

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

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