

119TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Ms. SLOTKIN (for herself and Ms. ERNST) introduced the following bill; which was read twice and referred to the Committee on _____

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 CERTAIN ACTIONS BY SECRETARY**
2 **OF DEFENSE UNDER THE DEFENSE PRODUC-**
3 **TION ACT OF 1950 FOR FEDERAL PERMITTING**
4 **IMPROVEMENT PURPOSES.**

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

7 (1) treated as a covered project, as defined in
8 section 41001(6) of the FAST Act (42 U.S.C.
9 4370m(6)), without regard to whether the action
10 would qualify as a covered project under that sec-
11 tion; and

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

15 (b) ACTIONS DESCRIBED.—An action described in
16 this subsection is an action taken by the Secretary of De-
17 fense pursuant to Presidential Determination 2022–11
18 (87 Fed. Reg. 19775; relating to certain actions under
19 section 303 of the Defense Production Act of 1950) or
20 the Presidential Memorandum of February 27, 2023, ti-
21 tled “Presidential Waiver of Statutory Requirements Pur-
22 suant to Section 303 of the Defense Production Act of
23 1950, as amended, on Department of Defense Supply
24 Chains Resilience” (88 Fed. Reg. 13015) to create, main-
25 tain, protect, expand, or restore sustainable and respon-
26 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.