

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5929  
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Critical Minerals Sup-  
3 ply Chain Resiliency Act of 2026”.

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

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

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

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

16 (b) ACTIONS DESCRIBED.—An action described in  
17 this subsection is an action taken by the Secretary of De-  
18 fense pursuant to Presidential Determination 2022–11

1 (87 Fed. Reg. 19775; relating to certain actions under  
2 section 303 of the Defense Production Act of 1950) to  
3 create, maintain, protect, expand, or restore sustainable  
4 and responsible domestic production capabilities for stra-  
5 tegic and critical materials through—

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

9 (2) by-product and co-product production at ex-  
10 isting mining, mine waste reclamation, and other in-  
11 dustrial facilities;

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

15 (4) any other activity authorized under section  
16 303(a)(1) of the Defense Production Act of 1950  
17 (50 U.S.C. 4533(a)(1)).

18 (c) EXCEPTION.—An action described in subsection  
19 (b) may not be treated as a covered project or be included  
20 in the Permitting Dashboard under subsection (a) if the  
21 project sponsor (as defined in section 41001(18) of the  
22 Fixing America’s Surface Transportation Act (42 U.S.C.  
23 4370m(18))) requests that the action not be treated as  
24 a covered project.

