

119TH CONGRESS
2D SESSION

H. R. 4090

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2026

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To codify certain provisions of certain Executive Orders relating to domestic mining and hardrock mineral resources, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Critical Mineral Domi-
3 nance Act”.

4 **SEC. 2. POLICY.**

5 It is the policy of the United States to establish the
6 position of the United States as the leading producer of
7 hardrock minerals, including rare earth minerals, which
8 will—

9 (1) create jobs and prosperity at home;

10 (2) strengthen supply chains for the United
11 States and the allies of the United States;

12 (3) safeguard the national Security of the
13 United States; and

14 (4) reduce the global influence of malign and
15 adversarial states.

16 **SEC. 3. ANALYZING ECONOMIC IMPACTS OF MINERAL NET**
17 **IMPORT RELIANCE.**

18 (a) **COST OF NET IMPORT RELIANCE.**—Not later
19 than 90 days after the date of the enactment of this Act,
20 the Secretary shall submit to the Committee on Natural
21 Resources of the House of Representatives and the Com-
22 mittee on Energy and Natural Resources of the Senate—

23 (1) for each mineral commodity included in the
24 document published by the United States Geological
25 Survey titled “Mineral Commodity Summaries
26 2025” (Version 1.2; March 2025) for which the

1 United States is reliant on imports, the dollar value
2 associated with such reliance; and

3 (2) the overall impact on the economy of the
4 United States of imports and exports of mineral
5 commodities listed in the document published by the
6 United States Geological Survey titled “Mineral
7 Commodity Summaries 2025” (Version 1.2; March
8 2025) for which the United States is reliant on im-
9 ports.

10 (b) SUBSEQUENT INCLUSION.—Beginning in 2026,
11 the Secretary, acting through the Director of the United
12 States Geological Survey, shall include in each Mineral
13 Commodity Summaries published by the United States
14 Geological Survey the information described in paragraphs
15 (1) and (2) of subsection (a).

16 **SEC. 4. PRIORITY PROJECTS.**

17 (a) PROJECT IDENTIFICATION.—

18 (1) IN GENERAL.—Not later than 10 days after
19 the date of the enactment of this Act and annually
20 thereafter, the Secretary, in consultation with the
21 Secretary of Agriculture, shall submit to the Com-
22 mittee on Natural Resources of the House of Rep-
23 resentatives and the Committee on Energy and Nat-
24 ural Resources of the Senate a list of each mining
25 project on Federal land for which a plan of oper-

1 ations, a permit application, or other application for
2 approval has been submitted to the Department of
3 the Interior.

4 (2) APPROVAL OF CERTAIN PROJECTS.—Not
5 later than 10 days after the date on which the Sec-
6 retary submits the list required under paragraph
7 (1), the Secretary shall, in consultation with the Sec-
8 retary of Agriculture, with respect to each mining
9 project included on the list—

10 (A) identify each priority mining project
11 for which the Secretary can immediately ap-
12 prove or issue each plan of operations, permit
13 application, and other application for approval
14 submitted to the Department of the Interior;
15 and

16 (B) take all necessary and appropriate ac-
17 tions to expedite and approve or issue each such
18 plan of operations, permit application, and
19 other application for approval.

20 (b) IDENTIFICATION OF POTENTIAL HARDROCK
21 MINERAL AND BYPRODUCT PRODUCTION.—Not later
22 than 10 days after the date of the enactment of this Act,
23 the Secretary, in consultation with the Secretary of Agri-
24 culture, shall submit to the Committee on Natural Re-
25 sources of the House of Representatives and the Com-

1 mittee on Energy and Natural Resources of the Senate
2 a list of each mining project on Federal land, whether ac-
3 tive, inactive, or proposed, that has the potential to—

4 (1) increase production of hardrock minerals or
5 the byproducts of hardrock minerals;

6 (2) expand operations to include the byproducts
7 of hardrock minerals;

8 (3) produce hardrock minerals from mine
9 tailings; or

10 (4) produce hardrock minerals from coal ash
11 and other coal byproducts.

12 (c) REPORT ON BARRIERS TO BYPRODUCT PRODUC-
13 TION.—Not later than one year after the date of enact-
14 ment of this Act, the Secretary shall submit a report to
15 the Committee on Natural Resources of the House of Rep-
16 resentatives and the Committee on Energy and Natural
17 Resources of the Senate on the barriers to byproduct pro-
18 duction from mining projects on Federal land, including
19 recommendations to Congress on how to reduce those bar-
20 riers.

21 **SEC. 5. MINING POTENTIAL ON FEDERAL LAND.**

22 (a) IN GENERAL.—The Secretary shall identify all
23 Federal land managed by the Secretary or the Secretary
24 of Agriculture, which may be leased for the exploration,
25 development, or production of hardrock minerals or is

1 open to location under the Act of May 10, 1872 (com-
2 monly known as the Mining Law of 1872), where—

3 (1) hardrock mineral exploration is being con-
4 ducted;

5 (2) the Secretary, in consultation with the
6 United States Geological Survey, determines
7 hardrock minerals may be present but where thor-
8 ough exploration has not been conducted; or

9 (3) known economically recoverable hardrock
10 minerals are present.

11 (b) PRIORITY.—In identifying Federal land under
12 subsection (a), the Secretary shall prioritize identifying
13 Federal land on which the exploration, construction, or op-
14 eration of a mining project—

15 (1) can most quickly be fully permitted and
16 operational; and

17 (2) would have the greatest potential effect on
18 the robustness of the domestic mineral supply chain.

19 (c) SUBMISSION OF LIST.—The Secretary shall annu-
20 ally submit to the Committee on Natural Resources of the
21 House of Representatives and the Committee on Energy
22 and Natural Resources of the Senate a list of all Federal
23 land identified under subsection (a).

1 **SEC. 6. REGULATORY REVIEW.**

2 (a) IDENTIFYING BURDENSOME FEDERAL REGULA-
3 TIONS.—Not later than 90 days after the date of the en-
4 actment of this Act, the Secretary, in consultation with
5 the Secretary of Agriculture, shall—

6 (1) review all existing regulations, orders, guid-
7 ance documents, policies, settlements, consent or-
8 ders, public land withdrawals, and any other agency
9 actions within the jurisdiction of the Secretary (in
10 this section referred to collectively as “agency ac-
11 tion”) to identify each agency action that imposes an
12 undue burden on the exploration, identification, de-
13 velopment, or operation of domestic mining projects;

14 (2) solicit industry feedback on regulatory bot-
15 tlenecks and recommended strategies to expedite ap-
16 proval of mining projects on Federal land; and

17 (3) begin implementing an action plan—

18 (A) to implement industry feedback re-
19 ceived pursuant to paragraph (2); and

20 (B) suspend, revise, or rescind, as applica-
21 ble, each agency action identified as unduly
22 burdensome under paragraph (1) as expedi-
23 tiously as possible.

24 (b) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Secretary, in consultation

1 with the Secretary of Agriculture, shall submit to Con-
2 gress a report including—

3 (1) recommendations for changes to law in ef-
4 fect as of the date of the enactment of this Act nec-
5 essary to accomplish the policy described in section
6 2; and

7 (2) a nationwide review of State and local stat-
8 utes, regulations, and ordinances the Secretary de-
9 termines impede development of domestic mining
10 and mineral exploration projects.

11 **SEC. 7. MAP BABY MAP.**

12 (a) IN GENERAL.—The Secretary shall prioritize ef-
13 forts to accelerate the ongoing, detailed geologic mapping
14 of the United States, with a focus on mapping previously
15 unknown deposits of hardrock minerals.

16 (b) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Secretary shall submit
18 to the Committee on Natural Resources of the House of
19 Representatives and the Committee on Energy and Nat-
20 ural Resources of the Senate a report regarding the
21 progress and estimated completion date of the comprehen-
22 sive national modern surface and subsurface mapping and
23 data integration effort of the Department of the Interior
24 described in section 40201 of the Infrastructure Invest-
25 ment and Jobs Act (43 U.S.C. 311).

1 **SEC. 8. DEFINITIONS.**

2 In this Act:

3 (1) FEDERAL LAND.—The term “Federal land”

4 means—

5 (A) National Forest System land;

6 (B) public lands; and

7 (C) any land that may be leased for the ex-
8 ploration, development, or production of
9 hardrock minerals.

10 (2) HARDROCK MINERAL.—The term “hardrock
11 mineral”—

12 (A) includes deposits of—

13 (i) minerals found in sedimentary or
14 other rocks;

15 (ii) base metals;

16 (iii) precious metals;

17 (iv) industrial minerals; and

18 (v) precious and semi-precious
19 gemstones; and

20 (B) does not include deposits of—

21 (i) coal;

22 (ii) oil;

23 (iii) oil shale;

24 (iv) gas;

25 (v) sodium;

26 (vi) potassium;

1 (vii) sulfur; or

2 (viii) mineral materials subject to dis-
3 position under the Act of July 31, 1947,
4 commonly known as the Materials Act of
5 1947 (30 U.S.C. 601 et seq.).

6 (3) MINING PROJECT.—The term “mining
7 project” means a project that involves the explo-
8 ration for or development, extraction, or processing
9 of a hardrock mineral.

10 (4) PUBLIC LANDS.—The term “public lands”
11 has the meaning given the term in section 103 of the
12 Federal Land Policy and Management Act of 1976
13 (43 U.S.C. 1702).

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

Passed the House of Representatives February 4,
2026.

Attest: KEVIN F. MCCUMBER,
Clerk.