

119TH CONGRESS  
1ST SESSION

# H. R. 4781

To amend the FAST Act to add activities relating to the extraction, recovery, or processing of certain materials to the definition of a critical project, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2025

Mr. BARR (for himself, Mr. PETERS, Mr. CARTER of Georgia, Mrs. BICE, Mr. HARRIGAN, Mr. THOMPSON of Pennsylvania, Mr. FALLON, Mr. NEWHOUSE, Mr. NEHLS, and Mr. DOWNING) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the FAST Act to add activities relating to the extraction, recovery, or processing of certain materials to the definition of a critical 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 “Rare Earth Solutions  
5 and Carbon Utilization Enhancement Act of 2025” or the  
6 “RESCUE Act of 2025”.

1 **SEC. 2. PERMIT PROCESS FOR PROJECTS RELATING TO EX-**  
2 **TRACTION, RECOVERY, OR PROCESSING OF**  
3 **CERTAIN MATERIALS.**

4 Section 41001(6)(A) of the FAST Act (42 U.S.C.  
5 4370m(6)(A)) is amended—

6 (1) in clause (iii)(III), by striking “or” at the  
7 end;

8 (2) in clause (iv)(II), by striking the period at  
9 the end and inserting “; or”; and

10 (3) by adding at the end the following:

11 “(v) is related to the extraction, recov-  
12 ery, or processing from acid mine drainage,  
13 mine tailings, coal, coal waste, coal proc-  
14 essing waste, or pre- or post-combustion  
15 coal byproducts of—

16 “(I) a mineral of a kind that is  
17 locatable under the Mining Law of  
18 1872 (30 U.S.C. 22 et seq.), including  
19 such a mineral located on lands ac-  
20 quired by the United States (as that  
21 term is defined in section 2 of the  
22 Mineral Leasing Act for Acquired  
23 Lands (30 U.S.C. 351));

24 “(II) a rare earth element; or

- 1 “(III) microfine carbon or carbon
- 2 from coal.”.

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