

CRITICAL MINERALS SUPPLY CHAIN RESILIENCY ACT OF
2026

JUNE 9, 2026.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 5929]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5929) to adjust the treatment of certain actions under Presidential Determination 2022-11 for Federal permitting improvement, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Critical Minerals Supply Chain Resiliency Act of 2026”.

SEC. 2. 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 Fixing America’s Surface Transportation 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) to create, maintain, protect, expand, or restore sustainable and responsible domestic production capabilities for strategic and critical materials through—

- (1) supporting feasibility studies for mature mining, beneficiation, and value-added processing projects;
 - (2) by-product 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)).
- (c) 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 Fixing America’s Surface Transportation Act (42 U.S.C. 4370m(18))) requests that the action not be treated as a covered project.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 5929 is to adjust the treatment of certain actions under Presidential Determination 2022–11 for Federal permitting improvement, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Defense Production Act of 1950 authorizes the Secretary of War to take specific steps to “create, maintain, protect, expand, or restore domestic industrial base capabilities essential for the national defense.”¹ From raw minerals to manufactured products, the U.S. must act quickly to unleash industrial independence; without rapid progress, the country will permanently fall behind adversarial nations like China. Overly cumbersome and bureaucratic permitting processes are keeping the Secretary of War from strategically leveraging the authority that has already been granted under the Defense Production Act of 1950, needlessly slowing down key reindustrialization efforts.

To meet America’s strategic and industrial needs, the Secretary of War’s efforts under the Defense Production Act of 1950 must be made eligible for the FAST–41 streamlined permitting processes. Doing so will help ensure that our country maintains the industrial capabilities essential to national security and economic prosperity.

H.R. 5929, introduced by Representative Andy Barr (R–KY), adds the actions authorized under the Defense Production Act of 1950 to the list of covered projects eligible for the FAST–41 expedited permitting process. For example, H.R. 5929 would ensure that the FAST–41 program encompasses Secretary of War-directed feasibility studies for mineral processing projects, by-product and co-product recovery from existing mines and mine waste, as well as initiatives focused on modernization, workforce safety, and environmental sustainability. This bill aligns with President Trump’s agenda by codifying portions of Executive Order 14241, *Immediate Measures to Increase American Mineral Production*.²

COMMITTEE ACTION

H.R. 5929 was introduced on November 7, 2025, by Representative Andy Barr (R–KY). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Energy and Mineral Resources. On February 24, 2026, the Sub-

¹ 50 U.S.C. § 4533(a)(1).

² The White House, “Immediate Measures to Increase American Mineral Production,” March 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/immediate-measures-to-increase-american-mineral-production/>.

committee on Energy and Mineral Resources held a hearing on the bill. On April 21, 2026, the Committee on Natural Resources met to consider the bill. The Subcommittee on Energy and Mineral Resources was discharged from further consideration of H.R. 5929 by unanimous consent. Chairman Bruce Westerman (R-AR) offered an Amendment in the Nature of a Substitute designated Westerman_067 ANS. The Amendment in the Nature of a Substitute was agreed to by voice vote. Representative Adelita Grijalva (D-AZ) offered an amendment to the Amendment in the Nature of a Substitute designated Grijalva #1. The amendment was not agreed to by a roll call vote of 16 yeas to 21 nays, as follows:

Committee on Natural Resources

U.S. House of Representatives

119th Congress

Date: April 21, 2026

Recorded Vote #: 5

Meeting on / Amendment on: **Grijalva #1 amendment** to Westerman_067 Amendment in the Nature of a Substitute to H.R. 5929 (Rep. Barr), *"Critical Minerals Supply Chain Resiliency Act"*

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Westerman, AR, Chairman		X		Mr. Huffman, CA	X		
Mr. Wittman, VA				Mr. Neguse, CO			
Mr. McClintock, CA		X		Ms. Leger Fernandez, NM	X		
Mr. Gosar, AZ		X		Ms. Stansbury, NM	X		
Mrs. Radewagen, AS				Ms. Hoyle, OR	X		
Mr. Webster, FL		X		Mr. Magaziner, RI	X		
Mr. Fulcher, ID		X		Mr. Golden, ME			
Mr. Stauber, MN		X		Mr. Min, CA	X		
Mr. Tiffany, WI		X		Ms. Dexter, OR	X		
Ms. Boebert, CO				Mr. Hernández, PR	X		
Mr. Bentz, OR		X		Ms. Randall, WA	X		
Ms. Kiggans, VA				Ms. Ansari, AZ	X		
Mr. Hunt, TX		X		Ms. Elfreth, MD	X		
Mr. Collins, GA		X		Mr. Gray, CA	X		
Ms. Hageman, WY		X		Ms. Rivas, CA	X		
Mr. Amodei, NV				Ms. Grijalva, AZ	X		
Mr. Walberg, MI		X		Mrs. Dingell, MI	X		
Mr. Ezell, MS		X		Mr. Soto, FL	X		
Ms. Maloy, UT		X		Ms. Brownley, CA			
Mr. McDowell, NC		X		Ms. Lee, NV		X	
Mr. Crank, CO		X					
Mr. Begich, AK		X					
Mr. Hurd, CO		X					
Mr. Kennedy, UT		X					
Mr. Downing, MT		X		TOTAL:	16	21	

The bill, as amended, was ordered favorably reported to the House of Representatives by voice vote.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Energy and Mineral Resources held on April 21, 2026.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 names the bill the “Critical Minerals Supply Chain Resiliency Act of 2026”.

Section 2. Treatment of actions under Presidential Determination 2022–11 for Federal permitting improvement purposes

Section 2 ensures that actions taken by the Secretary of War authorized by Section 303 of the Defense Production Act of 1950 are treated as covered projects and included on the FAST–41 Permitting Dashboard.

Section 2 also allows project sponsors to request that their projects not be treated as covered projects or included on the Permitting Dashboard.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

PERFORMANCE GOALS AND OBJECTIVES

As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to adjust the treatment of certain actions under Presidential Determination 2022–11 for Federal permitting improvement, and for other purposes.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE ESTIMATES

Pursuant to clause 3(d)(1) of House rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to the Congressional Budget Act of 1974.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

The Committee adopts as its own the estimate of the Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 5929 would make no changes in existing law.

DISSENTING VIEWS

H.R. 5929 would require all actions taken by the administration under the Defense Production Act (DPA) to expand domestic production capabilities for strategic and critical minerals to be automatically treated as “covered projects” eligible for the expedited FAST-41 permitting process, unless the project sponsor requests otherwise.

The DPA is intended to fund projects important to national security, but this administration seems to be defining “national security” as whatever its industry allies want, whether it’s to complete construction of President Trump’s ballroom, to try and shut down offshore wind, or waive Endangered Species Act requirements for Big Oil in the Gulf of Mexico.

Unfortunately, this legislation is not a simple question of aligning federal permitting practices with federal investment priorities for national security. Over the last several years, and increasingly during the Trump administration, the DPA has been used to direct substantial investments towards mining projects purported to produce minerals essential for defense and military purposes.

Among other investments, the Trump administration has used the DPA to fund equity stakes in several mining companies after waiving independent financial disclosure requirements—several of which have ties to friends and family of high-ranking administration officials, who have been able to profit substantially off these announcements. Notably, the administration announced a deal for the company Trilogy Metals while simultaneously fast-tracking permitting for the controversial Ambler Road project, which is needed to develop Trilogy’s proposed mine. At the time of the announcement, John Alfred Paulson, a close ally of President Trump, was the fourth-largest shareholder in Trilogy; the value of his shares increased from \$30 million to \$100 million overnight. In the following months, Paulson sold all shares in the Trilogy.

While I am concerned about the abuses of the DPA, I do recognize that the legislation, through the FAST-41 process, would provide more transparency and opportunities for public input than the administration is currently providing for DPA-funded projects under its “emergency” procedures invoked pursuant to the so-called National Energy Emergency.

JARED HUFFMAN,
Ranking Member.

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