

Immediate Measures to Increase American Mineral Production

Administration Policy:

President Trump issued an executive order (EO) titled <u>Immediate Measures to Increase American Mineral</u> <u>Production</u>, which aims to increase domestic mineral production "to the maximum possible extent."

Specifically, this EO requires the heads of relevant agencies to provide the Chair of the National Energy Dominance Council (NEDC) with a list of mineral production projects. The Chair of the NEDC must then submit this list to the Executive Director of the Permitting Council to be published on the <u>Permitting Dashboard</u>. Additionally, the Chair of the NEDC must issue a request for information on regulatory bottlenecks for domestic mineral production.

Within 30 days of this EO, the Chair of the NEDC, in coordination with the Director of the Office of Legislative Affairs (OLA), must submit recommendations for Congress to clarify the treatment of waste rock, tailings, and waste disposal.

The EO also requires the Secretaries of Defense, Interior, Agriculture, and Energy to identify suitable sites on Federal land, which have been identified as holding mineral deposits and reserves, for leasing and development for construction and operation of private commercial mineral production. The Secretaries of Defense and Energy should then enter extended leases for commercial mineral production, and coordinate with the Secretary of Agriculture and the Administrator of the Small Business Administration to facilitate access to public assistance programs for these domestic mineral production project sponsors.

Section 6 of this EO aims to accelerate capital investment by:

- Giving the Secretary of Defense the authority of the President under <u>section 303 of the Defense Production</u> <u>Act</u> (DPA), "for the domestic production and facilitation of strategic resources the Secretary of Defense deems necessary or appropriate to advance domestic mineral production in the United States."
- Giving the CEO of the <u>United States International Development Finance Corporation (DFC)</u> the authority of the President under <u>sections 301-303 of the DPA</u> to enhance domestic mineral production, limited to loans that create, maintain, protect, expand, or restore domestic mineral production.
- Utilizing the National Security Capital Forum to pair private capital with commercially viable domestic mineral production projects.
- Requiring relevant agencies to resend any policies that require an applicant to disclose exploration results, mineral resources, and mineral reserves, as required by <u>Regulation S-K part 1300</u>.
- Requiring the CEO of the DFC and the Secretary of Defense to create a plan to establish a dedicated mineral and mineral production fund for domestic investments.

Background:

- The EO defines "mineral" as "a critical mineral, as defined by 30 U.S.C. 1606(a)(3), as well as uranium, copper, potash, gold, and any other element, compound or material as determined by the Chair of the National Energy Dominance Council (NEDC)."
- The EO defines "mineral production" as "mining, processing, refining, and smelting of minerals, and the production of processed critical minerals and other derivative products."
- The Permitting Dashboard was established under section 41003 of title 41 of the <u>Fixing America's</u> <u>Transportation Act</u>.
- The National Security Capital Forum was <u>established</u> in the 2025 National Defense Authorization Act to convene private sector entities, US government personnel, and allied and partner nation representatives to better facilitate strategically-aligned investments.
- A fact sheet from the White House can be found <u>here.</u>