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## Issue 24 - September 16, 2020

### **This Week in COVID-19 News**

Negotiations between congressional leaders and the White House began in earnest over a continuing resolution needed to fund the government before the current budget expires at midnight on October 1. As budget discussions moved to the forefront, negotiations over potential additional economic stimulus legislation remained stalled despite efforts by the bipartisan “Problem Solvers Caucus” to find a middle ground. The National Mining Association’s (NMA) efforts to advance mining’s interests with congressional committees and federal agencies continues, with efforts focused on education and coalition building, including public communications regarding the essential nature of mining, safety actions taken by our members, and contributions being made by NMA member companies. Plus we have updates on the economy and how energy and mining markets are faring.

### **Safety Share**

**Rail Safety Week** begins Monday.

## **Possible New Life for Senate Energy Bill**

Last week a coalition of more than 70 corporations, organizations and non-governmental organizations including the NMA advocated to **Senate leadership** for the Senate passage of the **American Energy Innovation Act** (S. 2657). Among other provisions, S. 2657 contains the bipartisan **American Mineral Security Act** (S. 1317), which would enact new permitting reforms, new research and development for critical minerals, and new assessments of domestic critical minerals. Over the last week, Senators involved in the negotiation of the American Energy Innovation Act reached an agreement on an unrelated amendment that has held up further consideration of the bill since March. While unclear how the Senate may proceed this month, the agreement on the amendment is a substantial step and could result in expedited consideration.

## **Continued Congressional Inroads**

The NMA is continuing its outreach to key members and congressional staff important to NMA priorities. Yesterday, NMA President and CEO Rich Nolan met with Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-AK) thanking her for her bipartisan leadership on the American Minerals Security Act and providing her an update on NMA priorities for the remainder of this Congress and beyond. Last week, NMA hosted Congressman and Congressional Coal Caucus Chairman David McKinley (R-WV) for a candid discussion with NMA member companies on a variety of issues affecting U.S. coal production and the coal electricity generating fleet. This week, the NMA Government Affairs Committee hosted Rick Kessler, senior advisor for energy and environment to House Energy and Commerce Committee Chairman Frank Pallone (D-NJ). With the new **Clean Economy Jobs and Innovation Act** coming to the House floor next week, Mr. Kessler discussed provisions of the bill, priorities of the Energy and Commerce Committee Democrats, and areas of common ground that may enable bipartisan passage of legislation in this Congress or the next. Finally, this week, the NMA is hosting a fundraiser

for Senate candidate and former Wyoming Congresswoman Cynthia Lummis. Ms. Lummis is running for the Wyoming U.S. Senate seat being vacated by Senator Mike Enzi. NMA members will find a responsive ear from a new Senator Lummis and her team.

## **USE IT Influence**

A bipartisan, bicameral group of 40 Senators and Representatives are advocating to the **Chairmen and Ranking Members of the Senate and House Armed Services Committee** to maintain the USE IT Act in the final conference report for the fiscal year 2021 National Defense Authorization Act (NDAA). During floor consideration of the Senate NDAA, Senator Barrasso (R-WY), chairman of the Senate Environment and Public Works (EPW) Committee, successfully amended the bill with the text of **S. 383, the Utilizing Significant Emissions with Innovative Technologies (USE IT) Act** which supports carbon utilization and direct air capture research at the U.S. Department of Energy and U.S. Environmental Protection Agency and supports federal, state and non-governmental collaboration in the construction and development of carbon capture, utilization and sequestration (CCUS) facilities. Last month Chairman Barrasso held a Senate **hearing** in Gillette, Wyoming featuring witnesses testifying about **innovations in using and storing carbon dioxide emissions**. The NMA has and will continue to **work to enact** the USE IT Act this Congress.

## **NMA and WAC Support Navigable Water Protection Rule Hearing**

Today, the Senate EPW Committee held a **hearing** entitled, "Stakeholder Reactions: The Navigable Waters Protection Rule under the Clean Water Act." This rule was published in the Federal Register on April 21 and became effective on June 22. Please find a copy of NMA's memo on the publication of the rule **here**. Ahead of the hearing NMA engaged with committee members and their staff in order to drive participation and provide relevant background information and other materials. The NMA also joined with other members of the Waters Advocacy Coalition (WAC) in sending a **letter** expressing support for the rule,

its implementation, and the clarity it provides on the scope of the Clean Water Act. The NMA will continue to work with WAC members, the Administration, committee staff, and other stakeholders to ensure the new rule is fully implemented in order to provide opportunities to make the federal permitting process more efficient.

## Army Corps Proposes New Nationwide Permits

Yesterday the Army Corps of Engineers (Corps) **published** its proposal to reissue and modify the entire suite of nationwide permits (NWP). Comments are due November 16, 2020. The NWP program is designed to minimize delays and paperwork for certain activities in jurisdictional waters and wetlands that have no more than minimal individual and cumulative adverse environmental impacts. While NMA members have historically used NWPs, the utility of the program decreased during the previous administration as additional burdensome requirements rendered many of these permits unusable by the mining industry. The proposed revisions will help restore the usefulness of the NWPs while reducing permitting times and costs. NMA will continue to solicit member input on how to make the NWP program more useful for the mining industry and will schedule a conference call in the coming weeks to discuss comment strategy and feedback on draft comments.

## NMA's Fall Board Meeting

NMA's Fall Board of Directors and Annual Members Meeting will be held **October 6 - 8, 2020**, as a virtual meeting. Confirmed speakers for the General Session on Tuesday, October 6 are:

- Council on Environmental Quality Chair Mary Neumayr
- The Honorable Lisa Murkowski (R-AK)
- The Honorable Steve Daines (R-SD)

The Mineral and Coal CEO meetings will be held the afternoon of Wednesday, October 7, and the Board of Directors and Annual Members Meeting will be the afternoon of

Thursday, October 8. A preliminary agenda, registration and sponsorship information [are available here](#). Please note that only individuals who register for each meeting will receive meeting information and be permitted access to each session. [Sponsorships](#) have been very popular with two opportunities remaining as a meeting sponsor.

## **NMA and Third-Party Voices**

Working with RealClearPolitics, later this week NMA will be announcing a virtual event titled, “Reinventing Our Domestic Minerals Supply Chain in a Post-Pandemic World.” The event will be held on October 1 at 10:30 a.m. Eastern and will feature a discussion with Reps Eric Swalwell (D-CA) and Guy Reschenthaler (R-PA), the co-chairs of the House Critical Materials Caucus.

At the same time, the NMA and its third parties continue to place editorials across the country on the importance of our industry to the country and economy.

[Inside Sources](#) features an op-ed from NMA’s Rich Nolan discussing the electricity reliability and affordability crisis unfolding in the United States.

[The Roanoke Times](#) (VA) carries an op-ed by David Banks in which he argues coal must be more highly valued in energy for its properties as a baseload fuel.

The [Alaska Journal of Commerce](#) (AK), [MSN.com](#), [Fort Myers News Press](#) (FL) and [Naples Daily News](#) (FL) carry an op-ed by Michael Stumo, chief executive of the Coalition for a Prosperous America, in which he argues, to reduce strategic vulnerabilities and lessen global environmental harm, Congress should speed the domestic production of key metals and minerals.

## **Economic Impact**

U.S. Geological Survey (USGS) reported portland cement shipments in June **increased 11 percent** over the previous year.

Associated General Contractors reported construction employment **increased by 16,000 jobs** in August, but the gains were concentrated in housing.

**Amazon** and **UPS** each announced plans to hire 100,000 workers.

## **Energy and Mining News**

### **The Energy Information Administration's recent Short-term Energy Outlook**

continues to see an improved outlook for coal going forward in to 2021. The agency's coal analysts forecast "rising demand for coal from U.S. electricity generators because of higher natural gas prices compared with 2020."

*Argus* reports coal export volumes **began to recover** in July.

**Climate Wire reports** that global natural gas sentiment is changing, and the fuel is now being shunned by governments, utilities and investors.

**The International Energy Agency has released a new report** titled Energy Technology Perspectives 2020 that includes "analyses of more than 800 different technology options to assess what would need to happen to reach net-zero emissions by 2070 while ensuring a resilient and secure energy system."

**S&P Global reports** that world gold production was down 5% in the second quarter due to the pandemic, with much of the decrease coming from Latin American producers.

The **USGS second quarter mineral production commodity** report notes that "Owing to measures imposed to limit the spread of coronavirus disease (COVID-19), some mining operations and downstream manufacturing facilities experienced temporary closures and production was curtailed. The base metals sector was hit especially hard in the second quarter of 2020."

## NMA COVID-19 Resources

The NMA team is maintaining a comprehensive suite of online resources for [Coronavirus Assistance and Response](#). Resources include both [health, safety and business assistance](#) for NMA members and a chronicle of the American [mining industry's response to the current crisis](#).

## Tell Us About Your COVID-19 Response

We are continually gathering information about how the COVID-19 crisis is affecting our members. Information will be used in discussions with policymakers and decision makers at all levels of government and will help illustrate how mining is giving back to the communities where we live and work. Please [contact Ashley Burke](#) with ongoing accounts of your responses to the global pandemic.

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