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This Week in COVID-19 News

When Connecticut begins allowing some businesses to resume operations today, every state will have begun easing their lockdown measures in some form. But actions vary widely from state-to-state and even county-to-county, in some cases marked by court challenges. In Washington, D.C., the recovery policy debate is becoming increasingly politicized. In this dynamic environment, the National Mining Association (NMA) remains actively engaged with the White House and multiple branches of government to ensure that mining's interests are considered. The effort includes 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 both the crisis and its impact on energy and mining markets.

SAFETY SHARE: Hecla Mining is encouraging its employees to share stories of how their families are adopting the company's rigorous safety standards at home with its [Safety:](#)

Take it Home series.

House Relief Package and Proxy Voting

In a pair of actions on May 15, 2020, the U.S. House of Representatives took its next steps in addressing the health and economic impacts from COVID-19. A near party-line 208-199 vote approved H.R. 6800, the Health and Economic Recovery Omnibus Emergency Solutions Act (“HEROES Act”). Summarized in last week’s *NMA COVID-19 Update*, the bill is a 1,815-page, \$3 trillion proposal that was pronounced dead on arrival in the Republican controlled Senate. *Politico* reported “Senate Republicans have no plans to unveil an alternative to the massive relief bill passed by House Democrats,” although *The Hill* reported senators have begun assembling ideas for a package later on. The Joint Committee on Taxation estimated the HEROES Act would reduce federal tax receipts by \$883 billion.

The House also voted 217-189 to approve a package of historic changes to the chamber rules allowing proxy votes and virtual committee meetings. House Democratic leadership published regulations for remote voting by proxy and remote committee meetings. House Minority Leader Kevin McCarthy (R-CA) characterized the proxy voting measure as a power grab.

Focus on Reopening

The U.S. Centers for Disease Control and Prevention released guidance for reopening workplaces. The much anticipated government guidance was joined by advice from professional societies. The American Industrial Hygiene Association released a “Back to Work Safely” website. The American Institute of Architects introduced a “Re-occupancy Assessment Tool.”

Local reopening actions are being shaped by a hodgepodge of elected officials, health departments and even the courts. For instance, the Wisconsin Supreme Court **struck down a stay-at-home order** by Governor Tony Evers. Washington, D.C.'s, mayor extended its stay-at-home order **through at least June 8**.

For up-to-date state-by-state information on current reopening actions, check out the interactive map on NMA's "**Health, Safety and Business Assistance**" webpage.

Senate Finance Committee Meeting

This afternoon, the NMA Government Affairs Committee met with the chief counsel of the Senate Finance Committee to discuss upcoming provisions and ideas being considered for additional COVID-19 response legislation. NMA members and staff were able to discuss provisions which would provide additional liquidity to operators to build towards the recovery, including changes to the net operating losses provision in the CARES Act, and bipartisan support around modifications to the employer retention credit and legislative provisions to clarify the interaction between the credit and the lending programs in the CARES Act. NMA highlighted the importance of loan flexibility and tax relief and additional cost deductions such as net operating losses – building towards the construction of the next relief legislation sometime this summer in June or July. NMA staff also discussed provisions being introduced by a bipartisan group of legislators aimed at onshoring and domestic production. NMA will continue to work with congressional tax committee staff to keep our members advised of new opportunities and developments in future legislation.

Regulatory Reform at EPA

Last week NMA met virtually with EPA Administrator Andrew Wheeler to discuss our April 23 **letter** that outlined priority regulatory actions for the agency to ensure a strong recovery for mining and the economy. NMA identified a half-dozen priority items from our 2020 strategic plan, including implementation of the new waters of the U.S. rule and New

Source Review reforms, that are ripe for EPA action and that would remove regulatory barriers and facilitate mining's contributions to the recovery.

Defined Benefit Pension Plan Relief

The NMA on May 13, 2020, joined other companies and trade associations in a letter to congressional leaders encouraging temporary relief for contributions to single-employer defined benefit plans. As companies are making difficult decisions to continue operations, relief from long-term payments allow companies to make the immediate investments to provide healthcare and leave benefits and bring back furloughed employees. NMA will continue to advocate for this and other financial relief in the next legislation addressing the effects of the COVID-19 pandemic.

Mine Worker Protection Act Bill

U.S. Senator Joe Manchin (D-WV) introduced a bill on May 14, 2020, titled "**COVID-19 Mine Worker Protection Act (MWPA)**," which would require the Secretary of Labor to promulgate an emergency temporary standard within seven days after enactment to protect miners against COVID-19, and to promulgate a final standard within 24 months after enactment to protect miners against "*infectious pathogens*." The MWPA reflects a fundamental lack of understanding of the express findings, purpose and nature of the Mine Act for national, common issues of mining accidents or occupational disease, and ignores the mining industry's role as an essential and critical infrastructure component of the United States economy as well as the multitude of actions and steps already taken at mining operations to protect the workforce. Co-sponsors include Richard Durbin (D-IL), Tim Kaine (D-VA), Doug Jones (D-AL), Sherrod Brown (D-OH), Robert Casey, Jr. (D-PA), Shelley Moore Capito (R-WV), and Mark Warner (D-VA).

NMA Opinion Pieces, Voter Polling Released and Third-Party Editorials

Rich Nolan is featured on the [InsideSources network](#), writing about the need for mine permitting reform and incentivizing American minerals processing so our manufacturers can access minerals produced and processed at home. InsideSources provides editorial content to more than 300 newspapers across the country.

The COVID-19 pandemic has increased American voter concerns about the security of our domestic supply chain, and about voters' own household bills, according to [polling](#) conducted by Morning Consult for the NMA.

- 64 percent of voters said the pandemic has increased their concerns about securing our domestic supply chains with U.S.-sourced materials.
- 47 percent said the pandemic has increased their concerns about their ability to pay their household bills, including electricity bills.

[Read the press release.](#)

In third-party news, [IndustryWeek](#) carries a piece from Gen. John Adams in which he argues that the COVID-19 pandemic should serve as a wakeup call to bring essential industries back to the U.S., with a focus on reducing our import reliance for the products of mining.

U.S. Virus Response, Regulatory Relief, other Actions

President Donald Trump signed an Executive Order on [Regulatory Relief to Support Economic Recovery](#). The order directs agencies to use all emergency authorities to swiftly identify regulations that can be rescinded or temporarily waived to promote job creation and economic growth. Additionally, the President is directing agencies not to over-enforce when a business is working in good faith to follow the law and establishes a "Regulatory Bill of Rights," a set of 10 basic principles of fairness to govern the administrative enforcement and adjudication process.

In response to a previous Executive Order to promote transparency through improved agency guidance, the U.S. Environmental Protection Agency announced its first-ever

proposed rule to establish consistent requirements and procedures for the [issuance of guidance documents](#).

Treasury Secretary Steven Mnuchin and Federal Reserve Chairman Jerome Powell testified before the Senate Banking Committee on [pandemic response programs](#).

The U.S. Treasury Department [released information](#) on how small businesses can apply for loan forgiveness under the Paycheck Protection Program, including a [Loan Forgiveness Application](#).

The U.S. Small Business Administration said that all Paycheck Protection Program loans of less than \$2 million “will be deemed to have [made the required certification](#) concerning the necessity of the loan request in good faith.”

The U.S.-Canada border will remain [closed to non-essential travel](#) at least through June 21.

Energy and Mining COVID-19 Impact News

The Financial Times published “Mining and metals can [outperform in a post-pandemic world](#).”

The [Associated Press](#) reported that oil extraction and mining businesses had the best success in getting loans from the Paycheck Protection Program.

Kitco News reported on why [mining companies](#) are well adapted to handling COVID-19 risks.

S&P Global reported that [gold producers](#) will need to find new gold projects in the near future.

BW Research reported 1.3 million U.S. energy sector jobs have been lost since the start of the coronavirus pandemic, [a 13 percent decline](#), with S&P Global’s [Market Intelligence](#)

Group analysis of MSHA data showing first quarter 2020 coal employment down 8.4 percent and coal production down 10.1 percent compared to the fourth quarter of 2019.

E&E Energywire reported on how **lower power demand** due to COVID-19 results in renewable electric power sources being dispatched over coal-sourced power.

At the same time, ERCOT **reported** that the Texas power region will likely experience record electric use this summer driven by summer heat, with Utility Dive reporting that **that demand** may result in the restart of the Gibbons Creek coal plant.

In other news favorable to coal's competitiveness, U.S. Energy Information Administration forecasted **lower natural gas production** next year. *Rigzone* predicted **natural gas prices could double**.

EIA's latest **Weekly Coal Markets Report** showed U.S. coal spot prices in all regions holding steady for week ending May 15, 2020.

E&E Greenwire reported that Ramaco's proposed coal mine in the **Powder River Basin** is getting closer to opening.

The Department of Energy's Dr. Rita Baranwal, Assistant Secretary for the Office of Nuclear Energy, wrote that despite operating the largest fleet of reactors in the world at the highest level in the industry, our ability to produce **domestic nuclear fuel** is on the verge of a collapse.

Reuters reported that COVID-19 may slow the shift away from coal power in **Asia**.

Kitco reported that **Australia** is likely to become the leading gold producer in 2021, overtaking China.

Economic Impact

U.S. industrial production **dropped 11.2 percent** in April, the steepest one-month decline in 101 years of record-keeping. Manufacturing output fell a **record 13.7 percent**. Retail spending dropped a **record 16.4 percent**.

Another **3 million people** filed for unemployment compensation, bringing the total unemployed since the start of the pandemic to 36.5 million.

National League of Cities and Towns predicted cities will lose about **\$360 billion of revenue** through 2022.

In signs that a turnaround may be approaching, U.S. airlines reported that **travel demand is perking up** and automakers began **bringing employees back to work**.

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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