

# CEO Mine Recap

By Rich Nolan • Jun 03, 2024

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With Congress out after Memorial Day and summer now upon us, you might have expected a slow down in Washington. Not so fast. What's shaping up to be perhaps the most unique election year in history got even more dramatic last week with the conviction of former President Donald Trump on 34 counts of falsifying business records. But while this story is dominating the news channels, Washington's regulatory gears continue to grind at an extraordinary pace and the NMA's team continues to grind right along with it.

We are doggedly pursuing the priorities articulated by our member companies, filing challenges in the courts to defend against unlawful regulations, uniting allies inside the Beltway and across the country to support domestic mining, and partnering with the administration where funding opportunities exist.

At the same time, the start of the summer in a MINExpo INTERNATIONAL year always means extensive preparation for the world's largest mining show. I hope you will take the time to [look at the latest news, programming and offerings](#) from the show and consider joining us in September.

## House Allies Step up for Mining

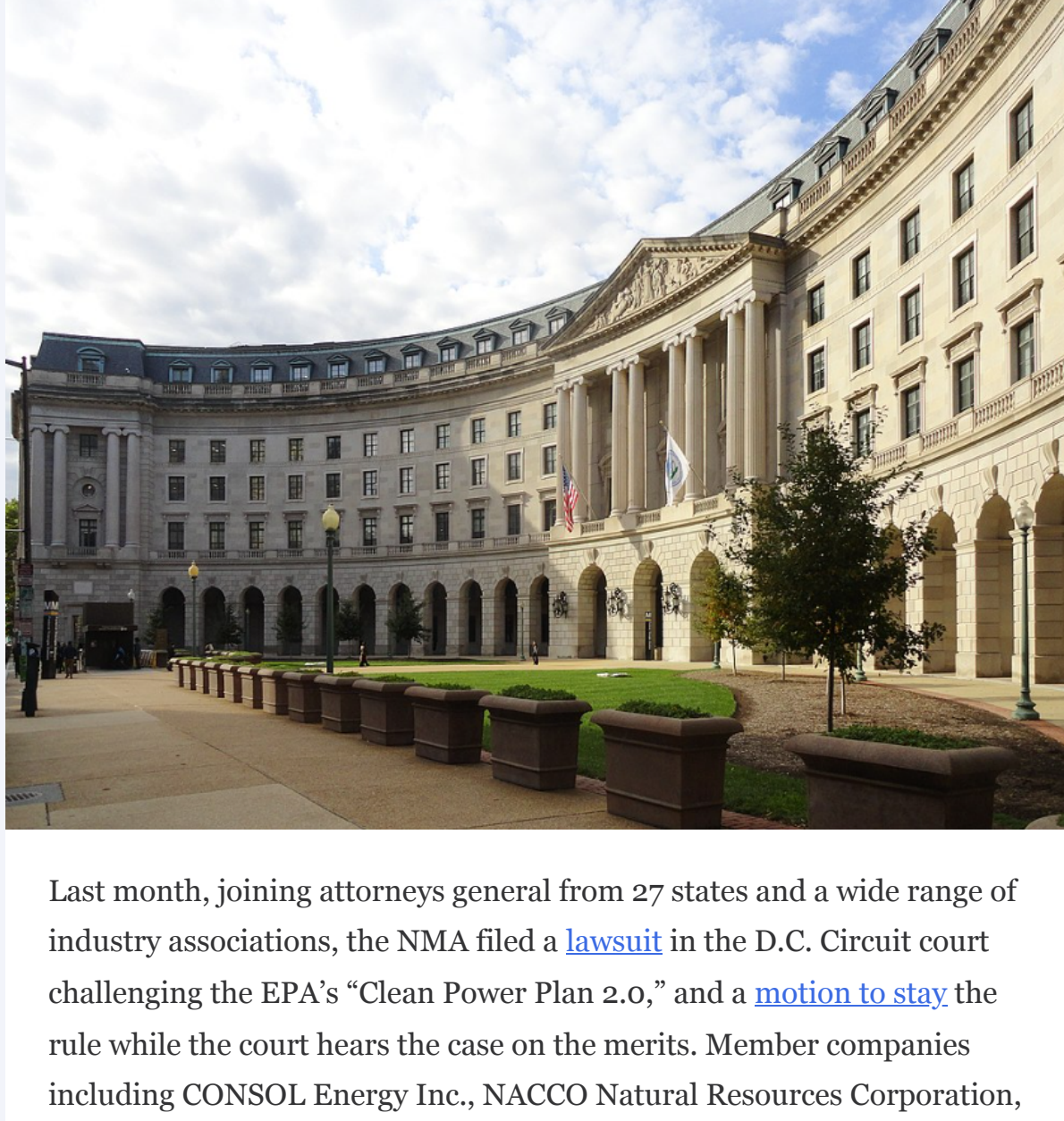


Last month, members of the House passed a range of bills to counter the Biden administration's recent anti-mining regulatory assault.

- The bipartisan Mining Regulatory Clarity Act of 2024 ([H.R. 2925](#)), introduced by Reps. Mark Amodei (R-Nev.) and Mary Peltola (D-Alaska), codifies the federal framework under the Mining Law, returning the framework to the way it existed prior to the 2022 Rosemont Decision without expanding mining activities in protected or withdrawn areas.
- The Superior National Forest Restoration Act ([H.R. 3195](#)), introduced by Rep. Pete Stauber (R-Minn.), rescinds DOI's 225,000 acre [mineral withdrawal](#) in Northern Minnesota and directs the U.S. Forest Service to reissue cancelled mineral leases for the Twin Metals Minnesota project.
- The Western Economic Security Today Act of 2024 ([H.R. 3397](#)), introduced by Rep. John Curtis (R-Utah), nullifies BLM's recently finalized rule titled Conservation and Landscape Health.

The NMA worked closely with the sponsors of these bills, committee & leadership staff, and outside organizations including state mining associations - and on H.R. 2925 with the Zero Emission Transportation Association, Advanced Energy United, Bipartisan Policy Center and the Alliance for Automotive Innovation - and will continue to work to advance them through the Senate and to the President's desk.

## From the Courts to Congress, Challenges Stack up Against Unlawful EPA Powerplant Rule



Last month, joining attorneys general from 27 states and a wide range of industry associations, the NMA filed a [lawsuit](#) in the D.C. Circuit court challenging the EPA's "Clean Power Plan 2.0," and a [motion to stay](#) the rule while the court hears the case on the merits. Member companies including CONSOL Energy Inc., NACCO Natural Resources Corporation, Navajo Transitional Energy Company, Peabody Energy Corporation, Prairie State Generating Company and Western Fuels provided supporting declarations.

Outside of the courts, congressional leaders voiced their opposition with Senator Shelley Moore Capito ([R-W.Va.](#)) and Congressman Troy Balderson (R-Ohio) preparing Congressional Review Act (CRA) resolutions in both the Senate and the House to overturn the rule.

## DOE Funding Supports Minerals Extraction



In a move advocated for by the NMA, DOE's Loan Programs Office (LPO) last month clarified that its funding can support minerals mining and extraction activities under the Title 17 Clean Energy Financing Program.

After the announcement, the NMA hosted a meeting with [Jigar Shah](#), the Director of the LPO, who discussed the inclusion of extraction projects and the process for consideration for LPO's \$74 billion in remaining loan and loan guarantee incentives still available.

Meeting materials are available [here](#).

## Administration Imposes Tariffs on Chinese Materials and Goods



President Biden [announced](#) the imposition of tariffs on materials and final products from China. The tariffs span several sectors, including mining, semiconductors, solar and batteries, and are intended to encourage China to eliminate its "unfair trade practices regarding technology transfer, intellectual property, and innovation."

Relevant to the mining industry are 25% tariff on certain mineral ores and mineral concentrates, alloys and other mixtures/products that will go into effect this year and for graphite and rare earth element magnets in 2027. Lithium-ion batteries for EVs and non-EVs will have a 25 percent tariff in 2024 and 2026, respectively, and similarly for battery parts in 2024.

The White House featured NMA's Rich Nolan' comments on the tariffs [here](#).

## BLM Bans Powder River Basin Coal Leasing



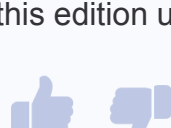
The BLM finalized two resource management plans that ban future coal leasing in the Powder River Basin of Wyoming and Montana.

We immediately issued a [press release](#) and conducted interviews condemning this attack on coal leasing and was quoted widely by [Washington Post](#), [Politico Pro](#), [E&E Daily](#) and others.

We will file protests on both plans by June 18. For more information on BLM's actions, review the NMA's memo [here](#).

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