

AGENDA

Welcome and Introductions Mike Kendrick

Global Market Trends Rich Nolan/Mike Kendrick

Interagency Working Group on Mining Regulations, Laws and Permitting Katie Sweeney/Ryan Jackson

Intersection of Interagency Working Group with Trade Policy Veronika Shime

Implications of Rosemont Litigation Katie Sweeney

Inflation Reduction Act Ryan Jackson

Federal Incentives for Domestic Mining and Processing Ryan Jackson

Congressional Permitting Reform Ryan Jackson

Chilean Tax Treaty Ryan Jackson

Integration of Environmental Justice in Permitting Decisions Caitlin McHale

Communications Ashley Burke

Adjournment Mike Kendrick

GLOBAL MARKET TRENDS



Commodity Prices



Production Costs



Inflation

WHITEHOUSE INTERAGENCY WORKING GROUP - MINING REFORM

PURPOSE

• To evaluate potential reforms to hardrock mining laws and regulations, including financial assurance and permitting policies to

THE GOOD

- Includes review of permitting policies as required by the Bipartisan Infrastructure Law
- Allows leveraging of administration's electrification and infrastructure priorities
- Some realization that domestic mining must be part of the supply chain solution
- Starting point was not NGO's petition for rulemaking
- New allies including car manufacturers and investment firms

THE BAD

- Imposition of punitive royalties
- Changes to financial assurance requirements
- Lack of understanding that there is no one-size-fits-all-standard for mining
- Carry over of some players from Obama and Clinton administration

THE UGLY

- Starting assumption: current system fails to (1) sufficiently protect environment, (2) provide appropriate opportunities for community and tribal engagement, or (3) ensure responsible mining
- Upending of the certainty and security of tenure provided by the Mining Law



















WHITEHOUSE INTERAGENCY WORKING GROUP - CONTINUED

NMA ENGAGEMENT

- May 10 Interagency Working Group kickoff meeting
- Regular communications on next steps
- July roundtables

August 16 meeting with Interagency Working Group on NMA comments

NMA **COMMENTS**

- Highlight importance of domestic mining and processing as solution
- Lay groundwork for urgent need to act
- Rebut notion that major changes are needed
- Defend existing frameworks

IWG NEXT STEPS

September Interagency Working Group subgroups on specific topics

RECOMMENDATION **TIMING**

Interagency Working Group to recommend changes to Congress on the Mining Law by Nov. and proposed regulations by end of 2022; timeframes are likely to slip



Congressman Horsford and Senator Cortez Masto Fight for Miners in the Silver

WASHINGTON - Recently, Congressman Steven Horford (D-NV-04) and Senator Catherine Cortez Masto (D-NV) led a biparti

The mining industry helps rural communities get the jobs and economic benefits they earn and deserve. Nevada is home to many

"Nevada supplies many of the minerals that Americans need to drive our 21st-century economy," said Rep. Horford. "I led thi letter to the Interagency Working Group (IWG) on Mining Reform to ensure that we continue to support union jobs in the rural communities in my district while still maintaining environmental standards that are critical to ensuring Nevada's vast landscape flora, fauna, and wildlife. I will continue to work with the Biden/Harris Administration to ensure that we safeguard our domestisupply chains by creating jobs here in Nevada while protecting our environment

A copy of the signed letter is available HERE and text is pasted below



Congress of the United States Washington, DC 20515

Susie le

GRASSROOTS ACTIVATION



WHITEHOUSE INTERAGENCY WORKING GROUP - ALLIES



August 30, 2022

Bureau of Land Management Division of Solid Minerals 1849 C Street NW, Room 5645 Washington, DC 20240

Mr. Steven Feldgus Deputy Assistant Secretary Land and Minerals Management U.S. Department of the Interior

Re: Response to the Request for Information (RFI) from the Intergency Working Group on improving Federal hard rock mining regulations, laws, and permitting processes, DOI-2022-

Dear Deputy Assistant Secretary Feldgus,

Ford is committed to accelerating the development of breakthrough electric, connected whiches that are made for Americans, by Americans, on our nation's soil. As a company, we take great price in assemblein more which the U.S. than any other manufacture. For attribution to the practice and appreciates the actions taken the Bidden Administration and Congrey chain that support be Bidden Administration and congress to the inflation fluction Act to onshore critical minerals and advanced betatery amufacturing. Reduction Act to onshore critical minerals and advanced battery manufacturing.

At Ford we're doing our part to strengthen our North American and U.S. supply chain. This As your we're coding our plat to strengmen your noon american and out support vanish includes working with companies from across the country, like loneer in Newada, Company Minerals in Utah, and Syrah Resources in Louisians. Yet, there is still much to be done as this Minierran in Usan, and Syran nesources in Louisiana, set, linere is sold much to we done as unsadministration and the auto industry work together to overhaul the industry's supply chain

Today's lengthy, costly, and inefficient permitting process makes it difficult for American businesses to invest in the extraction and processing of critical minerals in the United States. Current permitting requirements for critical mineral production can take as long as 8 even to be excurrent permitting requirements for critical mineral production can take as long as seven to ten years, in contrast, Canada and Australia have adopted mineral permitting policies that enable produces to complete the process in two to three years, while maintaining stringent

ZETA

The Honorable Deb Haaland 49 C Street N W

Re: Request for Information To Inform Interagency Working Group on Mining Regulations,

SUBMITTED VIA: https://www.regulations.gov Docket No. DOI-2022-0003

The Zero Emission Transportation Association (ZETA) is an industry-backed outlition of nearly sixty companies advocating for 10% electric vehicle (TV) also by 2000, ZETA is committed to ensemble the other backed on the committed of the committe

We would like to thank the Department of Interior (DOI) for the opportunity to inform the Interagency Working Group (WO) on Mining Regulations, Laws, and Peruniting. With global chemand for electric volicies growing at an unprecedented rate, the United State that the opportunity to become a leader in clean posterior. However, demonster insinging two less that the opportunity agency of our need to range up minings. However, demonster insinging two less that the opportunity agency of our need to range up minings. However, our produced in the production of the control of t

(6.6.c.) productions would only meet (10.7) so total domestic EV battery pack domand, lowels to scale up EV manufacturing capacity in the U.S., our domestic supply chain for critical mineral needs to be reliable, sustainable and held to the highest common and capits, and and relights standards on the reliable of the standard of the reliable standards of the fifteent mining reform, the United States have not considered from the standards which distincts in the Posterform, the Administration to propagately forcead on reform that will exist mining in the world of critical materials, improve nature propagately forcead on reform that will exist mining our practice, and demantically reload exploring, create jobs in the U.S., promote channels proportion, and demantically reload exploring, create jobs in the U.S., promote channels materials are not adequately secured and principal of the continues to be at the mercy of foreign supply chains for our battery, energy, and security demands.

1.1 Domestic Critical Minerals State of Play

The United States has 7.9 million metric tons of lishing content resources, which is the world's fourth-largest identified lithium supply—or, 9.2% of the world's total lishium resources. U.S. lit

ronically at the Federal Register Portal: http://www.regulations.gov/

Bureau of Land Management Division of Solid Minerals 1849 C Street NW, Room 5645

RE: Request for Information to Inform Interagency Working Group on Mining Regulations, Laws, and Permitting (Docket Number DOI-2022-0003)

Please accept the following comments regarding the Department of Interior's (DOI) request for Feets except ten knowing comments regarding the Opponent of Interor's (DOI) request for distribution for develop recommendations for Improving Federal hardcost inning registrons, laws, and distribution for developing recommendations for Improving Federal Registrons, see a public lands advocate organization of the Commendation of International Commendation of International Commendation of International Commendations of Internati

To be clear, we are not opposed to mining, including on public lands. Much progress has been made in the field of mining to minimize impacts from operations, including greater consideration of fish and willistle habitat, but the track record of mining is not perfect, nor can it be expected to be preferred to the willist habitat, but the track record of mining is not perfect, nor can it be expected to be preferred to be Mounte measures dus titre dank receive de reheinig to how per recei, not went to de expensive so de permeta est de fautre. Ruimencus studies have documented negative impacts of mining on several species, including greater cage-grouse, mule doer and other big game animals, and native species of fish. The need to Breater (ager group, maio ocer and orner og galne animas, and native species or insi, i ne need ur balance responsible mining with public land values, including quality hunting and fishing opportunities and clean water, is paramount and needed more than ever as our country and policymakers consider strategies to secure critical minerals necessary for clean energy technologies.

Thank you for considering the following recommendations in response to questions listed in the request

Are there areas that should be off-limits from mining, and if so, how should those be identified?

First, we encourage the Department to revisit the definition of "unnecessary or undue degradation". A This, we encourage the organization to revolution or unmercisary or undur organization clear, objective and substantive standard should support Federal Land Policy and Management Act's definition of multiple use, including the "harmonious and coordinated management of the various and the standard organization of the standard organization or the standard organization organization or the standard organization organization or the standard organization or the standard organization or the standard organization organizatio Pesources without permanent impairment of the productivity of the land and the quality of the resources without permanent impairment or the productivity or one innu and the quality or one environment," Revisions to Bureau of Land Management and Forest Service mining regulations should support the ability for local land management professionals to deny permits that would cause

Second, although the General Mining Law does not allow for it, local land use management plans should security, entrangers are venerar homing taw does not anow for it, local land use management plans is provide sustability decisions for mining, just as these plans do for oil and gas operations, timber ha motorized travel, and other multiple uses. These decision

Freeport-McMoRan Inc.

Response to Request for Information To Inform the Interagency Working Group on Mining Regulations, Laws, and Permitting

August 30, 2022



Department of Natural Resources OFFICE OF PROJECT MANAGEMENT AND PERMITTING

August 30, 2022

Steven Feldgus, Deputy Assistant Secretary Department of Interior 1849 C Street NW Washington, DC 20240 Submitted through www.regulations.gov

Re: Request for Information to Inform Interagency Working Group on Mining Regulations, Laws, and Permitting (Docket No. DOI-2022-0003)

Dear Deputy Assistant Secretary Feldgus,

The Office of Project Management and Permitting has econdinated with the Alaska Departments of Natural Resources, Environmental Conservation, and Frish and Gane to review the U.S. Department of Interior's Request for Information in British and British working Group on Mining Register (Volume 87 No. 62, 18811-18812) Maries 31, 2002. The following Consolidated input is provided on behalf of the State of Alaska (State).

segulatory scature share improve Outcomes
Modern society increasingly depends on the regionable development of a wide variety of
minierals and nettals that are essentials to the national society and economy of the United States.
These mineral commodities are used in nearly even of the daily lives of Americans,
including mineral commodities are used in nearly even of the daily lives of Americans,
including mineral commodities are used in nearly even materials, medical applications, and
are observed the commodities of the

wanamasson are appeaded on communed access to secure mineral supposes. Fifty specific minereals are now classified by the U.S. Geologic Survey as critical and strategic minerals due to beavy dependence on imports by the dissets that has the potential to create strategic valued as the properties of the properties of the strategic valued as the properties of the strategic valued and strategic other extremely important for transitioning from a fourif the based economy to one in which remembers energy in a major part of the Nation's energy grad, but their source, production, or processing is totally controlled by trading partners of governments that have adversarial and the control consequence of the Nation's energy grid, but their source, produce or processing is totally controlled by trading partners or governments that have adversarial relationships with the United States.

treatmentape with the common states.

Alaska's resource and mineral abundance means we can play a major role in the success of the
United States by providing a secure source of minerals, particularly show determined to be
critically or strategically important. Unfortunately, the girostest challenge to meeting the goals of
domestically sourced critical and strategic minerals is the current federal permitting process.



August 30, 2022

Mr. Steve Feldgus Deputy Assistant Secretary, Land and Minerals Management

Bureau of Land Management Division of Solid Minerals 1849 C Street NW, Room 5645

Re: Request for Information to Inform Interagency Working Group on Mining Regulations, Laws, and Permitting (FR Vol 87, No.62, pp. 18811-18812)

The Alaska Miners Association (AMA) appreciates the opportunity to respond to the March 31, 2022 request by the Interagency Working Group (IWC) on Mining Regulations, Laws and Permitting for Information on the mining industry in the United States. The YWC was Grorned in response to the 100-day report issued June 6, 2021 pursuant to Executive Order (E.A.) 14017, "America's Supply Chains."

AMA is a professional membership trade organization established in 1939 to represent the mining indust in Alaska. We are composed of more than 1.400 members that come from eight statewise branches. Acknorage, Denili, Fairbank, Halma de rend, Kerchikan Prince of Wales, and North and Marchine included arrangement enclosists and account of the property of the prop Antonorge, venan, rammans, Haines, Juneau, Aenas, Aetchikan/Prince of Wales, and Aome. Our member include individual prospectors, geologists, engineers, suction dredge miners, small family mines, junior mining companies, and major mining companies, Alaska Native Corporations, and the contracting sector

Within Alaska's borders there are five large-scale operating hardrock mines. The Red Dog zinc and lead mine in Northwesters Alaska, the Fort Knox gold mine near Fairbanke, the Pogo gold mine near Detta Junction, the Red many of the Resinance of

Aside from large-scale hardrock mining, Alaska is home to the vast majority of the nation's placer miners Asiae from arge-scale hardrock mining, Alaska is nome to the vast majority of the nation's placer miners. Placer mining its conducted differently than large-scale hardrock mining, through a practice of excavating standard gravel soils and using water separation to recover gold. While the placer mining process is do differently, the industry is still heavily regulated and Alaska's 150 placer mining operations stand to be RESPONSE TO REQUEST FOR INFORMATION TO INFORM

INTERAGENCY WORKING GROUP ON MINING REGULATIONS, LAWS AND PERMITTING

SUBMITTED VIA REGULATIONS.GOV

ON BEHALF OF

NEVADA GOLD MINES, LLC AND BARRICK GOLD CORP.

AUGUST 30, 2022



Office of the Governor REDGE B. JOHNSON

DEIDRE M. HENDERS

August 30, 2022

Submitted via electronically: https://www.regulations.gov

Tommy Beaudreau Deputy Secretary U.S. Department of the Interior Bureau of Land Management Division of Solid Minerals 1849 C Street NW, Room 5645 Washington, DC 20240

Subject: Request for Information to Inform Interagency Working Group on Mining

Regulations, Laws, and Permitting
Docket No. DOI-2022-0003; 223D0102DM, DS6CS00000, DLSN00000.000000.

RDCC Project No. 81709

Dear Deputy Secretary Beaudreau:

Under President Biden's February 24, 2021 Executive Order (*EO*) 14017 titled "America's Supply Chaine", and under the subsequent 100-Day reviews released on June 8, 2021 (as directed by EO 14017), the Biden Administration recommended that the Foderal government (as directed by EO 14017).

"...an interagency team with expertise in mine permitting and environmental "..... interegency team with expertise in mine permitting and environmental law to identify page in stuntes and regulations that may need to be updated to ensure new production needs of consure new production needs of the project stunter meaningful community consultation and consultation with ribal malons, respecting the government-to-potential relationship, at all stages of the mining process; and examine opportunities to



August 30, 2022

Deputy Assistant Secretary, Land and Minerals Management Bureau of Land Management Division of Solid Minerals 1849 C Street NW, Room 5645 Washington, DC 20240

Re: Request for Information to Inform Interagency Working Group on Mining Regulations, Laws, and Permitting. (FR Vol 87, No.62, pp. 18811-18812.)

The Idaho Mining Association (IMA) appreciates the opportunity to provide the following The stano staning Association (1887) appreciates are opportunity to provide the interagency Working Group on Mining Regulations, Laws, and Permitting

IMA is a non-profit, non-partisan, state-wide trade association located in Boise, Idaho. IMA is the LOUA AS A RESPICIO, HOSP-partison, SEAST-WHILE HAVE ASSOCIATION PARSIES IN DOOSE, RAINO, 1972-15 INC. recognized voice in support of exploration and mining in the state of Idaho. Our purpose is to advocate for a sustainable mining industry that benefits our state and local communities, while surveine no a sussantance muning manuscry man occurring our some man towar communities, wante advancing the mineral resource and mining related interests of our members. We represent and inform our membership on legislative, regulatory, safety,

aroun our memorantp on registance, regulatory, salety, technical, and environmental issues that surround the mining industry. We are committed to the technicar, and environmental issues that surround the mining monay, protection of human health, the natural environment, and a prosperous mining industry

Since 1903, IMA has represented miners and mining companies engaged in mineral exploration, stuce 1700, 8310, he represents more and maning companies suggests in minorial expression, mineral developments, and land reclamation throughout the state of Idaho. Our membership also numerar unvertegaments, and and resistantines an organism are write to make the second consists of companies and industries that provide services to the mining industry within the state. consists of computation and insorting time proving between or one mining amounts you min the same.

IMA and its members are dedicated to responsible and sustainable mineral withdrawal in Idaho and 101/1, and its memoers are unuscated to responsible and automatical institution of monotonic out member companies continue to utilize and explore more innovative and science based methods our nections stompound beautime to unince one support to our state of the control of the control

The IMA agrees and fully supports the comments submitted by the National Mining Association and the American Exploration and Mining Association, including but not limited to the points below.

Domestic Mineral Production is Key to Securing Our Supply Chair

INTERSECTION OF INTERAGENCY WORKING GROUP AND TRADE POLICY



Positives: increased acknowledgment that mining is the solution, increased demand Challenges: channeling increased focus, educating key influencers, supply chain competition

ACTORS

- Interagency Working Group (IWG)
- U.S. Trade Representative (USTR)
- State Department (Energy Resource Governance Initiative (ERGI) and now Minerals Security Partnership (MSP))
- Commerce Department
- Export-Import Bank
- International Trade Advisory Committees

STAGE

- Increased societal focus on mining
- Proliferation of voluntary responsible mining standards
- Divergence of domestic policies across jurisdictions
- Supply chain vulnerability

TRADE POLICY MEETS DOMESTIC POLICY: OPPORTUNITIES

- Working with allies to secure supply chains vs.
 working with U.S. government to secure domestic supply chains
- Supporting international best practices vs. recognizing U.S. robust legal and regulatory framework
- Opening market access via trade agreements vs. prioritizing domestic production
- Promoting voluntary responsible mining standards vs. understanding that no one size fits all

IMPLICATIONS OF THE ROSEMONT LITIGATION | MINING REFORM

DECISION

- 9th Circuit May 12, 2022, decision misconstrues rights conveyed by the Mining Law to owners of unpatented claims and the use of surface resources to develop those claims
- Key mining states in Ninth Circuit: Alaska, Arizona, Idaho, Montana and Nevada

PETITION FOR REHEARING

- Department of Justice declines to join, decreasing likelihood of success
- · NMA supports via amicus brief
- Petition denied in August 2022

USE IN OTHER CASES

- Raised in challenge to Mount Hope Molybdenum Project in Nev. on Bureau of Land Management lands – approved twice by Bureau of Land Management; in permitting since 2008
- Raised in challenge to Lithium Americas Thacker Pass project also on Bureau of Land Management lands in Nev.
- Raised in Earthworks litigation appeal to D.C. Circuit on hold while Interagency Working Group deliberates changes to mining laws and regulations

POTENTIAL RESOLUTIONS

- Distinguish on facts, in record if possible
- Evaluate ways to distinguish Forest Service and Bureau of Land Management regulations
- Wait and see how Forest Service proceeds with remand (if Rosemont continues with project)
- Explore opportunity for legislative solution



Reported view of lead of Interagency Working Group in response to Ninth Circuit decision:

Now the industry will be forced to the Mining Law reform table

BUILD BACK BETTER - NOW INFLATION REDUCTION ACT

After 18 long months...

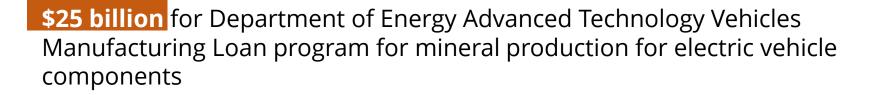
- "Build Back Manchin" total \$740 billion, down from \$3.5 trillion
- No new hardrock royalties
- No new claims maintenance fees
- No hardrock dirt tax, regulatory changes or withdrawals
- 15 percent corporate alternative minimum tax on \$1 billion of book income (three-year average)
- Domestic sourcing for electric vehicles and components
- 10 percent production tax credit for critical minerals and manufacturing tax credit for processing and refining of critical materials
- \$40 billion for new Department of Energy critical mineral lending
- \$25 billion for Advanced Technology Vehicles Manufacturing Loan program
- \$500 million for the Defense Production Act



FEDERAL INCENTIVES FOR DOMESTIC MINING AND PROCESSING

\$1 billion for Defense Production Act for production and processing of strategic and critical minerals for battery manufacturing

\$40 billion for Department of Energy Loan Program Office for critical mineral production



45X new 10 percent Production Tax Credit for cost of production of critical minerals listed in the bill through 2032 with direct pay for the first five years

48C manufacturing tax credit applicability to processing, refining or recycling critical materials

New domestic sourcing for electric vehicle tax credits







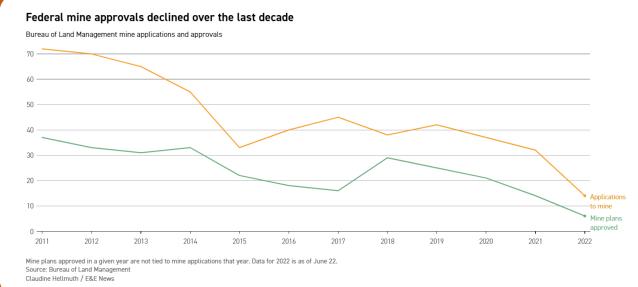
CONGRESSIONAL PERMITTING REFORM

- Manchin's deadline: September 30
- Permitting provisions apply to all mining, extraction, beneficiation and processing of minerals

COMPONENTS

- Lead agency new responsibilities
- One Federal Decision timelines: two years for Environmental Impact Statements, one year for Environmental Assessments
- Limits on timing for lawsuits
- 150 days after final agency decision or action
- Federal agency performance metrics
- Presidential priority list
- Random assignment of judges





CHILEAN TAX TREATY

Without ratification, Chilean taxes on U.S. companies' operations will increase to 44% in 2027, while competitors from countries with treaties in place will remain at 35%



August 22, 2022

The Honorable Charles E. Schumer Majority Leader Washington, DC 20510

I am writing to express the Treasury Department's support for the proposed bilateral inc treaty between the United States and Chile ("the proposed Chile tax treaty") that was vo of the Senate Committee on Foreign Relations on March 29th of this year and is awaiting Senate's advice and consent to ratification. The treaty enjoys bipartisan support from m of the Senate and is strongly endorsed by the business community.

The proposed Chile tax treaty would reduce tax-related barriers to cross-border investments between the United States and Chile. In particular, the proposed Chile tax treaty would level the playing field for U.S. companies investing in Chile and competing with compa are resident in other countries that already have tax treaties in place with Chile. The pro-Chile tax treaty is an important component to the Treasury Department's efforts to strate expand the U.S. tax treaty network. If approved, the proposed Chile tax treaty would be second U.S. tax treaty in force in South America, reaffirming our leadership in a region v the United States has long sought to conclude more tax treaties.

Thank you very much for your attention to this important matter.

Janet L. Yeller



DEPARTMENT OF THE TREASURY WASHINGTON, D.C.

SECRETARY OF THE TREASURY

August 22, 2022

The Honorable Mitch McConnell Republican Leader IIS. Senate Washington, DC 20510

I am writing to express the Treasury Department's support for the proposed bilateral income tax treaty between the United States and Chile ("the proposed Chile tax treaty") that was voted out of the Senate Committee on Foreign Relations on March 29th of this year and is awaiting the Of the definite continuous on a strength reclamation of the treaty enjoys bipartisan support from members Senate's advice and consent to ratification. The treaty enjoys bipartisan support from members of the Senate and is strongly endorsed by the business community.

The proposed Chile tax treaty would reduce tax-related barriers to cross-border investment between the United States and Chile. In particular, the proposed Chile tax treaty would help level the playing field for U.S. companies investing in Chile and competing with companies that are resident in other countries that already have tax treaties in place with Chile. The proposed Chile tax treaty is an important component to the Treasury Department's efforts to strategically expand the U.S. tax treaty network. If approved, the proposed Chile tax treaty would be only the second U.S. tax treaty in force in South America, reaffirming our leadership in a region where the United States has long sought to conclude more tax treaties.

Thank you very much for your attention to this important matter.

Janet Yeller Janet Yeller



U.S. companies that operate in key mining jurisdictions like Chile must be able to compete on a level playing field with other multinational companies. The U.S.-Chile Income Tax Treaty will protect U.S. investment in Chile and support our economy. This treaty enjoys bipartisan support in the Senate. There is no reason to delay its ratification any longer.

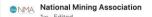


Yellen Urges Senate to Approve Tax Treaty Between US and Chile

Minerals Make Life 📀 @MiningFan

Without ratification of U.S. trade agreements like the U.S.-Chile Tax Treaty, American companies and investments are at a global disadvantage. Watch the latest #NMADigsIn to see why: ow.lv/IMgR50JsKNu





Everybody benefits from strong trade policy. Our U.S. operators benefit, it strengthens the U.S. economy and it supports a stable and reliable global supply chain. NMA Vice President of International Policy & Sustainability Veronika Shime explains why it's time for the Senate to take action to ratify the U.S.-Chile Tax Treaty.





How the U.S.-Chile Tax Treaty **Protects Mineral Supply Chains**

Posted on August 24, 2022 by Minerals Make Life

It's no secret that demand for minerals is skyrocketing and only a handful of global powers, including China, are positioned to prosper from it. In 2022, U.S. automakers are scrounging for secure and reliable sources of copper, lithium, nickel and many other minerals necessary to build the electric vehicle fleets of the future. To support U.S. companies and compete with countries like China, the U.S. must increase its domestic mineral output and work alongside allied nations. Chile is one of these allies.

Chile is an important economic and trade partner for the U.S. mineral supply chain. Several U.S. mining companies have established Chilean operations that produce vital electric vehicle battery minerals such as copper, lithium and molybdenum. Other U.S. companies sell equipment and services to these mining operations. In 2020, the sale of equipment to these operations was worth roughly \$12.8 billion in U.S. exports. Unfortunately, this beneficial relationship is only as strong as the agreements that protect

The U.S.-Chile tax treaty, awaiting ratification in the U.S. Senate, ensures U.S. companies investing and operating in Chile will not face higher country taxes than competitors like China. First signed in February of 2010, it's been pending ratification ever since. If the treaty stays unratified, corporate income tax rates for U.S. companies will jump from 35 percent to over 44.45 percent, while Chilean operations headquartered in countries with treaties in force (China, Japan, Canada, Australia, U.K.) continue to enjoy the current Chilean rate of 35 percent. Failure to ratify the treaty will undoubtedly weaken the U.S.-Chile relationship and the investments within it.

A ratified treaty would surely strengthen U.S. competitive advantage in mineral supply chains and promise benefits for U.S. companies, including but not limited to limits on Chilean withholding taxes on interest, royalties, and fees for the use of equipment. Ratifying the treaty would also encourage investment in the U.S. by Chilese creating potential jobs for America

INTEGRATION OF ENVIRONMENTAL JUSTICE IN PERMITTING DECISIONS

- Environmental Protection Agency Interim Environmental Justice (EJ) and Civil Rights in Permitting Frequently Asked Questions (Aug. 2022)
- Not legally enforceable but sends a clear message to states and localities that the Environmental Protection Agency expects them to be more proactive in integrating Environmental Justice and civil rights in permitting programs or risk federal funding
- In some circumstances, "Denial of the permit may be the only way to avoid a [Civil Rights Act] Title VI violation."

NMA RECOMMENDATIONS:

- Become familiar with Environmental Justice mapping and screening tools (e.g. EPA's EJScreen).
- Become familiar with your state and local Environmental Justice and civil rights laws, regulations and policies
- Review best practices for community engagement in the Frequently Asked Questions document



Environmental Protection Agency

Interim
Environmental Justice and Civil Rights in
Permitting
Frequently Asked Questions

August 2022

Office of General Counsel Office of Policy

U.S. Environmental Protection Agency Washington, D.C. 20460

This document discusses a variety of federal statutory and regulatory provisions, but does not itself have legal effect, and is not a substitute for those provisions and any legally binding requirements that they may impose. It does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations or benefits to any person. To the extent there is any inconsistency between this document and any statutes, regulations or guidance, the latter take precedence. EPA retains discretion to use or deviate from this document as appropriate.

COMMUNICATIONS



U.S. Energy Security and Climate Action Rest on Mining

The Intelligencer.
Wheeling News-Register

Congress Must Tackle Infrastructure Permitting Reform



Push to shorten U.S. mine permit review process gains steam



Top industry group raises alarm on future of green energy: 'Has now become a crisis'

The U.S. has a 'broken and cumbersome' permitting process, the the National Mining Association president tells FOX



Lengthy, costly and inefficient: US permitting in 'dire need' of reform, says industry



Boston Herald Daemen: U.S. energy security, climate action rest on mining

KEY PERFORMANCE INDICATORS

137 **OPEDS YTD**

13 PRESIDENT OPEDS

3.74M READERS REACHED

BLOGS

VIDEOS

823,000+

