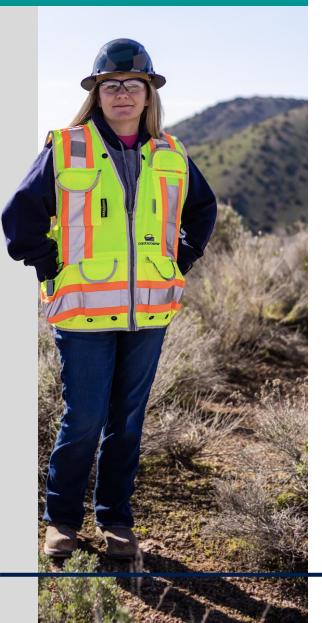


Agenda



Welcome and Introductions	Christina Erling		
Mining Law			
Interagency Working Litigation Group on Mining Regulations, Laws and Permitting (IWG)	Katie Sweeney		
IWG Communications	Ashley Burke		
IWG Congressional Oversight	Ryan Jackson		
Litigation Update	Katie Sweeney		
Rosemont Legislative Fix	Ryan Jackson		
Permitting Reform	Ryan Jackson/Katie Mills		
Good Samaritan Legislation	Ryan Jackson/Justin Prosser		
New Challenges to Land Access	Katie Mills/Justin Prosser		
Incentives for Domestic Mining/Processing	Ryan Jackson/Scott Gemperline		
Passage of Chilean Tax Treaty	Ryan Jackson		
Environmental, Social and Governance Tracker Update	Veronika Shime		
Global Industry Standards on Tailings Management Disclosure	Veronika Shime		
Tribal Engagement Resources	Katie Sweeney		
Adjournment	Christina Erling		



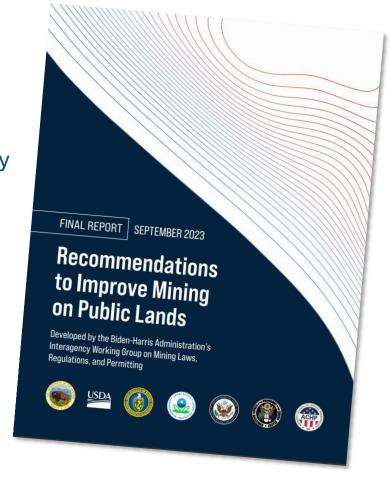
Mining Law

IWG Recommendations

Biggest takeaway:

"The current configuration of our mining laws—where access is provided by the 150-year-old Mining Law of 1872 while standards for environmental performance, public engagement, and protection of Tribal rights and resources are included through a patchwork of Federal and State laws—fails to meet the needs of communities, developers, Tribes, or the environment."

- Conversion to a leasing system
- Imposition of 4-8 percent net royalty
- Imposition of 7 cent/ton dirt tax
- Prohibition on operations needing perpetual water treatment
- Extreme restrictions on use of notices for exploration activities
- Agencies prioritizing projects based on subjective best environmental and social practices



65 overall recommendations on:

- Land access
- Fair return
- Permitting process
- Transparency
- Tribal
- Standards
- Mine closure
- Government/private sector capacity

IWG Recommendations

Policy recommendations not requiring legislation or rulemaking

Favorable or Benign



- Permit tracking system
- Consistent application requirements
- Highlight mineral potential in land use planning
- Broad use of BLM NV permitting process model
- Improved use of cooperating agencies
- Interagency mine permitting expert forum
- Promotion of a circular economy
- Website showing mining activities
- Improved consultation procedures and training
- Automatic tribal notifications of mining activities
- New NHPA guidance
- Encouragement of remining of brownfields
- Increased federal investments in new technologies

Unfavorable



- Faster permitting for projects using subjective "best environmental practices"
- "Innovative" integration of mining into land use planning
- More scrutiny of mines in standby status
- Revision to "unforeseen" cost assumptions for bonding
- Longer timelines for public comments on mine plans

Still Evaluating



- Incentivize or require social impact and community benefit planning documents
- Specific procedures for engaging environmental justice communities
- More inclusive policies for stakeholder engagement
- Inviting tribes to be cooperating agencies
- Making compliance records public
- Incorporation of indigenous knowledge in permitting
- Funding of tribal engagement in permitting and operations monitoring
- Additional support for tribally-led assistance organizations

IWG Recommendations

Rulemaking Required

Favorable or Benign



- Consistency in BLM and Forest Service regulations
- Required pre-application meeting

Unfavorable



- Small miner waiver program reforms
- Standards to allow expedited permitting for projects using subjective "best environmental practices"
- Updated performance standards
- Updated standard for mines in standby status
- Longer notice and plan review times
- Eliminate use of notices for exploration activities when tribal cultural resources, protected species, designated habitat are impacted
- Include tribes in the determination of financial assurance
- Elimination of insurance as bonding mechanism

Still Evaluating



- Incentivize or require social impact and community benefit planning documents
- Standards to require social impact and community benefit planning documents
- Requirement to include a climate change adaptation plan
- Additional protections for tribal cultural sites, sacred sites and resources
- Required adherence to the Global Industry Standard on Tailings Management



IWG Recommendations

Legislation Required

Favorable or Benign



- Good Samaritan protections
- Use of excess fees/royalties for abandoned mine land cleanup
- Grant program for mining schools
- Additional funding for permitting agencies
- Federal investments in new technologies
- Encourage remining and reprocessing of previously disturbed sites

Unfavorable



- Conversion of location system to leasing
- 4-8 percent net royalty may apply to existing operations
- 7 cent/ton dirt tax may be applicable to mines on private, state and federal lands
- Authority to debar operators based on poor past performance
- Ancillary uses and mill sites provisions
- Programmatic environmental impact statement to incorporate mining into land use planning processes
- New enforcement authorities
- Prohibition of operations that need perpetual water treatment

Still Evaluating



- Permanent elimination of patenting
- New administrative withdrawal process that allows for conditional development
- Increased claim maintenance fees
- Escalation of claims maintenance fees if no exploration/production within a certain time
- Additional protections for Tribal cultural sites, sacred sites, and resources
- Revenue sharing with states/local governments
- Reforms to tribal consultation processes
- Resources for tribal consultation
- Reforms to financial assurance laws to allow access to funds during bankruptcy



Communications



The Washington Times



The New Hork Times

The Washington Post

Biden's minerals road map to nowhere

U.S. must build secure, responsible supply chains at home

By Rich Nolan - - Monday, September 18, 2023

Rich Nolan, president and CEO of the National Mining Association, said the report did little to advance Biden's stated goal to secure domestic minerals supplies while supporting responsible mining.

Creation of a leasing system, imposition of a punitive "dirt tax" and proposed royalties as high at 8% " will throw additional obstacles in the way of the responsible domestic projects, forcing the U.S. to double-down on our already outsized import reliance from countries with questionable labor, safety and environmental practices," Nolan said in a statement.

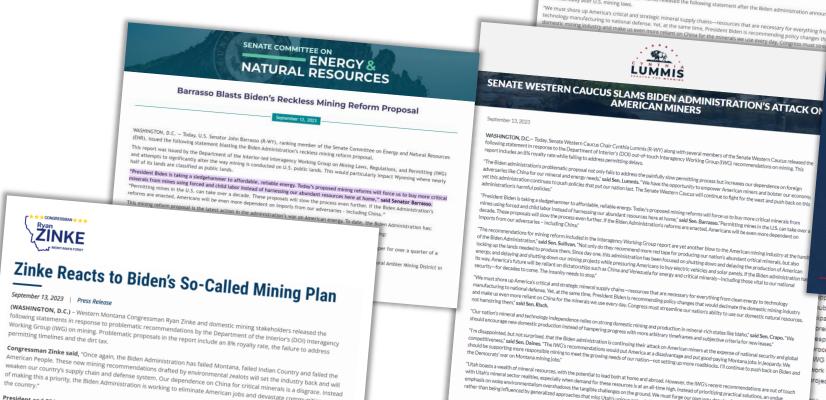
Royalties and the other recommended changes would "throw additional obstacles in the way of responsible domestic projects and would-be investment, forcing the U.S. to double-down on our already outsized import reliance from countries with questionable labor, safety and environmental practices," Mr. Nolan said.

"The recommendations contained in this report don't do anything to advance the ball," Rich Nolan, the group's president and chief executive, said in a statement. Some of the recommendations "will throw additional obstacles in the way of the responsible domestic projects" and would increase dependence on foreign miners.

IWG Congressional Oversight



Dems blast Biden admin for efforts to crack N down on critical mineral production: 'Hurt the mining industry'



of making this a priority, the Biden Administration is working to eliminate American jobs and devastate communities around

President and CEO of the National Mining Association Rich Nolan said, "It's clear that when it comes to the global minerals game, the U.S. is critically outmatched—by our geopolitical rivals and allies alike, and the administration acknowledges this.Unfortunately, if the Biden-Harris administration's stated objective is to secure our nation's domestic mineral supply chains while supporting responsible mining, the recommendations contained in this report don't do anything to advance the ball. In fact, most of the recommendations made by the IWG reveal a fundamental lack of understanding of our industry and the laws that govern it and will throw insurmountable obstacles in the way of responsible domestic





Risch Chastises Biden Admin's Efforts to Decimate U.S.

Transporase to the Department of Interior's (DOI) out-of-touch Interagency Working Group (IWG) recommendations on mining. This

pendence relies on strong domestic mining and production in mineral-rich states like Idaho," said Sen. Crapo, "We

WASHINGTON - U.S. Senator Jim Risch (R-Idaho) released the following statement after the Biden administration announced its recommendation

"We must shore up America's critical and strategic mineral supply chains—resources that are necessary for everything from clean energy to The mass store up wherevals chical and strategic flame and apply changes—residences and one increasing for exerging to technology manufacturing to national defense. Yet, at the same time, President Biden is recommending policy changes to





Utah boasts a wealth of mineral resources, with the potential to lead both at home and abroad. However, the IWG's recent recommendations are out of touch with Utah's mineral sector realities, especially when demand for these resources is at an all-time high. Instead of prioritizing practical solutions, an undue emphasis on woke environmentalism overshadows the tangible challenges on the ground. We must forge our own way, drawing from our distinct strengths, rather than being influenced by generalized approaches that miss Utah's unique potential.

al Western Caucus Chairman Dan /ice Chair Pete Stauber (MN-08) and e to problematic recommendations by Interior's (DOI) Interagency Working Problematic proposals in the report rate, the failure to address permitting

iming to support domestic mining the n's actions prove otherwise," said house (WA-04). "The IWG's recommendations will hinder domestic mining and lead to

reign adversarial nations such as Communist China for the minerals needed for everyday curity, and our energy needs. The West is ripe with critical minerals that would allow our

indering our economic progress. As back on policy proposals harmful to rural al supply chains."

ica, any worker but American," said Vice it forward by the DOI's Interagency stile foreign nations. This only makes our hreat. My home state of Minnesota is ue to work with Chairman Newhouse and ms that actually allow our miners to

critically outmatched—by our geopolitical Rich Nolan, President and CEO of the ris administration's stated objective is to esponsible mining, the recommendations nost of the recommendations made by the e laws that govern it, and will throw and would-be investment."

will allow our Nation to achieve its nerals that empowers our adversaries to secutive Director of the American

portunity to identify ways to eliminate some of the current barriers to discovering and developing minerals on ublic lands. Unfortunately, in many ways it missed the mark. With skyrocketing global mineral demand and partisan recognition of the need for a strong domestic mineral supply chain to reduce our risky dependence on reign minerals, the IWG was formed to be a whole government effort 'to promote the sustainable and esponsible development of critical minerals. Yet, despite bipartisan mandates for a more efficient permitting poess, the administration rolls out ideas that have repeatedly been rejected by Congress. The intention of the G was to improve our process and increase domestic mining, not derail it. AEMA is committed to continuing to ork constructively with the administration and Congress to ensure the timely advancement of domestic minerals

In transpagement, but not see proper, then the observation or continuing their education of the property of the experience transpagement and the experience of reasons security and good competitiveness, said Sen. Daines. The IWG's recommendations would put America at a disadvantage and put good paying Montana Jobs in Jecquirdy. We should be supporting more responsible mining to meet the growing needs of our nation—not setting up more roadblocks. It continue to push back on Biden and **Utah boasts a wealth of mineral resources, with the potential to lead both at home and abroad. However, the INVG's recent recommendations are out of touch with Utah's mineral sector realities, especially when demand for these resources is at an all-time high. Instead of prioritizing practical solutions, an undue emphasis on voice environmentalism overshadows the tangible challenges on the ground. We must forge our own way, drawing from our distinct strengths,

Mining Law

Litigation

Further Action on Key Cases Shaping Interpretation of the Mining Law

Rosemont

(Ancillary use/claim validity/interpretation of Forest Service regulations)

Case concluded when 9th Circuit affirmed adverse decision, but repercussions still reverberate



Thacker Pass

(Ancillary use/claim validity/interpretation of Bureau of Land Management (BLM) regulations)
District court held Rosemont rationale applied to BLM authorizations
Remand to BLM to determine validity of claims where waste would be stored
9th Circuit upholds decision to allow construction to commence

Department of Interior Solicitors Opinion – Use of Mining Claims for Waste Deposition

Drives a solution for Thacker but raises significant questions about the right of occupancy absent a valid claim and whether BLM can approve such a claim

Earthworks

(Millsites/fair market value/interpretation of BLM regulations)
Briefing concluded and awaiting assignment of D.C. Circuit panel and oral argument date



Mining Law

Rosemont Legislative Solution

Bipartisan Legislation Awaiting Action



"That's why the leadership of Senators Cortez Masto and Risch and the Mining Regulatory Clarity Act is a welcome development. Permitting reform and more mineral production here in the U.S. will reduce our collective reliance on foreign supply chains and support the transformation to EVs happening across the auto industry."



Union Calendar No. 123

H. R. 4821

[Report No. 118-155]

118TH CONGRESS

Making appropriations for the Department of the Interior, environment, and and appropriations for the forced year ending September 30, 2024, and

IN THE HOUSE OF REPRESENTATIVES

Mr. Simison, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

IN THE SENATE OF THE UNITED STATES

S. 1456

To provide for certain energy development, permitting reforms, and for other

Mr. RARRASSO (for himself, Mrs. Captro, Mr. Risch, Mr. Lee, Mr. Daines, Ms. MCREOWSKI, Mr. HOEVEN, Mr. CASSIDY, Mrs. Hydr. SMITH, and Mr. Hawley) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for certain energy development, permitting reforms, and for other purposes.

- Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
- (a) SHORT TITLE.—This Act may be cited as the
- 5 "Spur Permitting of Underdeveloped Resources Act" or 6 the "SPUR Act".
- (b) TABLE OF CONTENTS THE SALE

118TH CONGRESS

April 25, 2023

CORTEZ MASTO & RISCH INTRODUCE LEGISLATION TO PROTECT CRITICAL MINERAL PRODUCTION IN THE WEST

Bipartisan Bill Would Stop Misguided Rosemont Decision From Blocking Essential Mining Projects in

Washington, D.C. – U.S. Senator Catherine Cortez Masto (D-Nev.) and Jim Risch (R-Idaho) introduced the Mining Regulatory Clarity Act to allow critical mineral production to continue in the West This legislation



ZETA

July 25, 2023

The Honorable Kevin McCarthy United States House of Representatives H-232, U.S. Capitol Washington, D.C. 20515

The Honorable Chuck Schumer Senate Majority Leader United States Senate S-221, U.S. Capitol Washington, D.C. 20510

The Honorable Hakeem Jeffries Democratic Leader United States House of Representatives H-204, U.S. Capitol Washington, D.C. 20515

The Honorable Mitch McConnell Senate Minority Leader United States Senate S-230, U.S. Capitol Washington, D.C. 20510

Dear Speaker McCarthy, Leader Jeffries, Majority Leader Schumer, and Minority Leader McConnell:

We write today in support of Section 444 within H.R. 4821, legislation which would provide the certainty needed for critical mineral production to continue in the United necessary for a cleaner and more secure energy future, we hope you will give every possible consideration to enacting this measure before the

The legislative language contained in Section 444 within H.R. 4821 is reflective of the strong bipartisan support this provision enjoys in the United States Senate and the United States House of Representatives. In the Senate, corresponding bipartisan legislation (S. 1281; Mining Regulatory Clarity Act) Representatives, in the Senate, corresponding organisation agriculture of the senators of the Senators Rosen, Sinema, Risch, Crapo, and Murkowski and in the House of Representatives, Congressman Amodei and Peltola have introduced H.R. 2925. Their combined advocacy for this measure not only highlights the importance critical minerals play in our clean energy future, acrosses no ture measure not only arguments are importance critical attributable to responsible mining companies. but also a substantial number of jobs across the United States attributable to responsible mining companies.

The necessity for this measure is highlighted by the fact that decisions stemming from Center for The necessity for this incastice is inguingance by the fact that textistion steering from territory Biological Diversity et al. v. U.S. Fish and Wildlife Service et al have effectively paralyzed the ability for the United States to operate mines efficiently and responsibly. In the absence of the enactment of the Mining Regulatory Clarity Act, decades of precedent and investment in the clean energy economy and corresponding good-paying American jobs have been thrown into turnoil. The enactment of this legislation is the single best geographing cultistation for the board information further than the suggestion of the United States to meet ways to provide the appropriate amount of certainty needed to underpin the ability of the United States to meet the extraordinary mineral demand necessary to meet the challenge of clean energy future.

Thank you for your attention to this matter, your work to help improve the federal permitting process,

Rich Nolan President and CEO National Mining Association

Albert Gore Executive Director Zero Emission Transportation Association

H. R. 1

118TH CONGRESS

AN ACT

To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.

- Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

Mine Permitting Reform

Congress Acts

- Setting lead federal agencies
- Two-year Environmental Impact Statement, scope limit, page limit
- Rosemont fix
- Apply Energy Act of 2020 permit streamlining to all minerals
- Time limits on environmental and judicial review
- Codifying project sponsor preparation of environmental reviews
- Apply five-acre rule to Forest Service land
- New limits on withdrawals

118TH CONGRESS 1ST SESSION H. R. 1 AN ACT To lower energy costs by increasing American energy produc tion, exports, infrastructure, and critical minerals proc essing, by promoting transparency, accountability, per mitting, and production of American resources, and improving water quality certification and energy projects and for other purposes. Be it enacted by the Senate and House of Renz



For Immediate Release: September. 14, 2023

Contact: Charlotte Taylor ~202.224.4971 Charlotte Taylor@energy.senate.gov

Barrasso, Manchin Issue Permitting Update

WASHINGTON, D.C. - Today, U.S. Senators John Barrasso (R-WY), ranking member of the Senate Energy and Natural Resources Committee, and Joe Manchin (D-WV), chairman of the Senate Energy and Natural Resources Committee, released a statement following their meeting

"We are in agreement that we must act to accelerate our permitting system and are committed to reaching a bipartisan solution that prioritizes American energy security, reliability and affordability."

137 STAT. 10

PUBLIC LAW 118-5-JUN. 3, 2023

Public Law 118-5 118th Congress

An Act To provide for a responsible increase to the debt ceiling.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

This Act may be cited as the "Fiscal Responsibility Act of

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title. Sec. 2. Table of contents. Sec. 3. References.

DIVISION A-LIMIT FEDERAL SPENDING

TITLE I—DISCRETIONARY SPENDING LIMITS F

E&E DAILY

↓ ♣ < □

Senate energy leaders to meet on permitting overhaul

Sens. Joe Manchin (D-W.Va.) and John Barrasso (R-Wyo.) said they'll discuss permitting reform in the coming days.

BY: EMMA DUMAIN, NICO PORTUONDO | 09/12/2023 06:23 AM EDI



Mine Permitting Reform

Administration Backpedals

A win, but more work to do...

CEQ NEPA Phase 2 Rulemaking

- Does not comply with Fiscal Responsibility Act for NEPA timelines and applicant prepared documents
- Outcome driven instead of procedural in nature (picks winners and losers)
- Removes comment exhaustion requirement
- Will ultimately increase permitting timelines and litigation risks





Bipartisan Good Samaritan Legislation

Bipartisan Cosponsors:

- Mike Crapo (R-Idaho)
- John Hickenlooper (D-Colo.)
- Kyrsten Sinema (I-Ariz.)
- Steve Daines (R-Mont.)
- Ben Ray Luján (D-N.M.)
- John Barrasso (R-Wyo.)
- Mark Kelly (D-Ariz.)
- Cynthia Lummis (R-Wyo.)
- Jon Tester (D-Mont.)
- John Thune (R-S.D.)
- Catherine Cortez Masto (D-Nev.)
- Kevin Cramer (R-N.D.)
- Jacky Rosen (D-Nev.)

- John Boozman (R-Ark.)
- Michael Bennet (D-Colo.)
- Dan Sullivan (R-Alaska)
- Ron Wyden (D-Ore.)



SEPTEMBER 13TH, 2023

HEINRICH, RISCH REINTRODUCE BIPARTISAN LEGISLATION TO REMOVE HURDLES FOR GOOD SAMARITANS TO CLEAN UP ABANDONED HARDROCK MINES

WASHINGTON - U.S. Senators Martin Heinrich (D-N.M.) and Jim Risch (R-Idaho) reintroduced the bipartisan Good Samaritan Remediation of Abandoned Hardrock Mines Act, legislation to make it easier for "Good Samaritans" such as state agencies, local governments, nonprofits, and other groups, to clean up and improve

"We have Good Samaritans ready to clean up abandoned mines that are threatening our communities through the land, water, fish, and wildlife they rely on," said Heinrich. "I'm proud to reintroduce this bipartisan legislation with Senator Risch to create a path for Good Samaritan groups to clean up these sites in New Mexico and across the

*For far too long, we have prevented commonsense environmental improvements from taking place at longabandoned hardrock mines because we place significant liability risk on the good faith actors who want to clean them up," said Risch. "I'm proud to introduce legislation with Senator Heinrich to support true Good Samaritans who

The Good Samaritan Remediation of Abandoned Hardrock Mines Act is cosponsored by U.S. Senators John Hickenlooper (D-Colo.), Mike Crapo (R-Idaho), Kyrsten Sinema (I-Ariz), Steve Daines (R-Mont.), Ben Ray Luján (D-N.M.), John Barrasso (R-Wyo.), Mark Kelly (D-Ariz.), Cynthia Lummis (R-Wyo.), John Tester (D-Mont.), John Thune (R-S.D.), Catherine Cortez Masto (D-Nev.), Kevin Cramer (R-N.D.), Jacky Rosen (R-Nev.), John Boozman (R-Ark.), Michael Bennet (D-Colo.), Dan Sullivan (R-Alaska), Ron Wyden (D-Ore.).



partisan legislation with Senator Risch to create a path for Good Samaritan groups to

ock Mines Act is cosponsored by U.S. Senators Mike Crapo (R-Idaho), John Hickenlooper (Dnes (R-Mont.), Ben Ray Luján (D-N.M.), John Barrasso (R-Wyo.), Mark Kelly (D-Ariz.), Cynthia Lummis (R-Wyo.),

(A), Catherine Cortez Masto (D-Nev.), Kevin Cramer (R-N.D.), Jacky Rosen (R-Nev.), John Boozman (R-Ark.), Nardrock mine features, of which 22,500 pose environmental hazards according to the GAO. Organizations

ity to an abandoned mine - true Good Samaritans - want to volunteer to remediate some of these sites.

these Good Samaritans legally responsible for all the pre-existing pollution from a mine, even though they

itans have the skills and resources to comply with federal oversight. This pilot program is designed for

water and soil quality or otherwise protect human health.

The U.S. has over 140 000 about

Land Access

New and Continuing Threats

- Endangered Species Act Experimental Populations (Final Rule)
- Fish and Wildlife Service Mitigation Policies (Final Policy)
- BLM Rule on Conservation and Landscape Health (Proposed Rule)
- Forest Conservation Initiatives (Advanced Notice of Proposed Rulemaking)
- Fish and Wildlife Service Land Use Policies (Proposed Policy)
- 30x30/America the Beautiful (Ongoing Threat)
- National Nature Assessment (Draft Prospectus)
- Expanded Use of Conservation Areas (Emerging Threat)
- Mineral Withdrawals (Minnesota, Nevada, New Mexico)
- National Monument Designations (Arizona)

"Today we're responding to call from Tribes, elected leaders, and community members who want to see these public lands protected."

DOI Secretary Deb Haaland



Be it enacted by the Senate and House of Representa-

of the United States of America in Congress assembled,

he Director of the Bureau of Land Management

rean of Land Management entitled "Conservation and Landscape Health" (88 Fed. Reg. 19583 (April

Federal Incentives

upword

Michigan Tech, Eagle Mine awarded over \$10 million for EV battery recycling program



DOE Pumps \$466M for Critical Minerals, Renewables at Mine Sites



Biden Government Backs Production of Coal Minerals



Lithium company Ioneer scores \$700 million conditional Ioan from Energy Department for Nevada plant



US DOE provides US\$2.8B for critical minerals



Another \$20M in federal funds for northern Minnesota Talon nickel mine



Albemarle, Piedmont Lithium land \$291M in Department of Energy grants to assist in developing plants

Idaho Mountain Express

Jervois enters \$15M agreement with U.S. military to accelerate cobalt exploration, extraction in central Idaho

MINING.COM

Perpetua wins up to \$15.5m to advance antimony trisulfide supply chain at Stibnite



Mining companies strike gold with new climate law

Chilean Tax Treaty

Passage | 95-2

- Without ratification, Chilean taxes on U.S. companies' operations would have increased to 44% in 2027, while competitors from countries with treaties in place would remain at 35%
- New certainty for billions in new mining investments
- Coalition partners included:
 - National Mining Association
 - Caterpillar
 - Freeport-McMoRan Inc.
 - Komatsu America Corporation
 - Newmont Corporation
 - Rio Tinto
 - Principal Financial Group
 - Amazon
 - Bechtel Corporation
 - PepsiCo



Press Release

For Immediate Release

Contact:

Conor Bernstein (202) 463-2620 chernstein@nma.org

June 21, 2023

NMA Applauds Passage of Chilean Tax Treaty

WASHINGTON, D.C. - Rich Nolan, President and CEO of the Na (NMA), today applauded the long-awaited approval of the U.S. treaty, first signed in February 2010, has been pending ever si

"Our industry has eagerly awaited today's action for well more companies that invest in Chile hanging in the balance in the int action by the Senate which brings this long period of uncertaint U.S. investments in Chile, a key mining jurisdiction, where U.S minerals that are key to our energy future and sell equipment



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

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, lishimm, 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 it.

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 Chilean companies, creating potential jobs for American citizens. It would be the second U.S. tax treaty in America and would lay the groundwork for further tax treaties in the region, which has been a long-term objective of the U.S. government.

The Senate should swiftly ratify this pending treaty, thereby strengthening the relationship between the U.S. and Chile while stimulating economic growth for both countries. After more than a decade of waiting, it's clear the time to act is now.

Read what NMA CEO Rich Nolan had to say about the ratification of this treaty here.



SENATE

TREATY DOC.

TAX CONVENTION WITH CHILE

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTIN

THE CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CHILE FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAKES ON INCOME AND CAPITAL, SIGNED IN WASHINGTON ON AS CORRECTED BY EXCHANGES OF NOTES EFFECTED FEB. ACCURATE OF AND 21, 2012, AND A RELATED AGREEMENT EFFECTED BY EXCHANGE OF NOTES (THE CREATED AGREEMENT ") ON FEBRUARY 4, 2010



MAY 17, 2012.—Treaty was read the first time, and together with

ESG Tracker

Statistics

Standards

A wide range of organizations worldwide have developed sustainability standards for the mining industry to provide assurance to companies and consumers that negative ESG impacts are managed and benefits are realized by communities that are associated with mining and processing.

This searchable standards database allows NMA members to quickly identify the public consultation periods of the standards that are most relevant to their operations, as an initial step toward positive collective action.

the latest versions of the Standards from Tune 1st 2023

the latest versions of the Standards from June 1st, 2023.

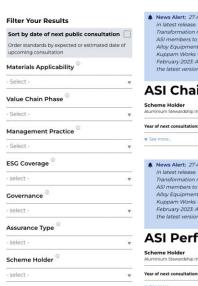
Previous update launched on 29th June 2020

Bettercoal Code

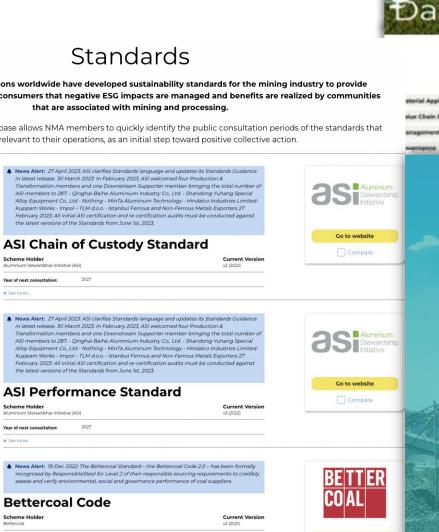
Scheme Holder

Consultation Notes

End date of next consultation







Go to website



TDi

No reservo

Colenating standard

Industry Bidge Instrumentable Sed Plant

nma.org

tdi-sustainability.com

MEMORANDUM ESG TRACKER

Association

MONTHLY NEWS HIGHLIGHTS: AUGUST 2023

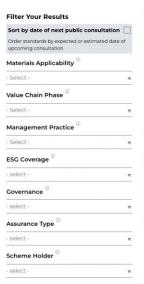
See the Environmental, Social and Governance (ESG) Tracker News Highlights, below. This initiative is presented by the National Mining Association (NMA) as part of our work to create a robust ESG Tracker that provides members with updates about voluntary ESG standards. As a reminder, you can visit the ESG Tracker for more information and to analyze ESG standards.

In this month's newsletter...

- 1. A New Towards Sustainable Mining Subscription Service Enables Mining Companies to Disclose ESG Data.
- 2. Towards Sustainable Mining Launches New Standard on Equity, Diversity, and Inclusion.

ESG Tracker

From Voluntary Standards Database...





News Alert: 27 April 2023. ASI clarifies Standards language and updates its Standards Guidance in latest release. 30 March 2023. In February 2023, ASI velcomed four Production & Transformation members and one Downstream Supporter member bringing the total number of ASI members to 287 - Qinghail Baihe Aluminium Industry Co., Ltd. - Shandong Yuhang Special Alloy Equipment Co., Ltd. - Nothing - Mint Aluminum Technology - Hindato industries Limited-Kupparm Works - Impol - TLM d.o. - Istanbul Ferrous and Non-Ferrous Metals Exporters 27 February 2023. All initial ASI certification and re-certification audits must be conducted against the latest versions of the Standards from June 1st, 2023.

ASI Chain of Custody Standard

Scheme Holder
Aluminum Stewardship Initiative (ASI)

Year of next consultation:

2027

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ASI Performance Standard

Scheme Holder Current Version v3 (2022)

Year of next consultation: 2027

* See more:

News Alert: 19 Dec 2022 The Bettercoal Standard - the Bettercoal Code 2.0 - has been formally recognised by ResponsibleSteel for Level 2 of their responsible sourcing requirements to credibly assess and verify environmental, social and governance performance of coal suppliers.

Bettercoal Code

	Current Vers vz (2021)
2026-01-01	
2026-12-31	
Previous update launched on 29th June 2020	
	2026-12-31



Go to website

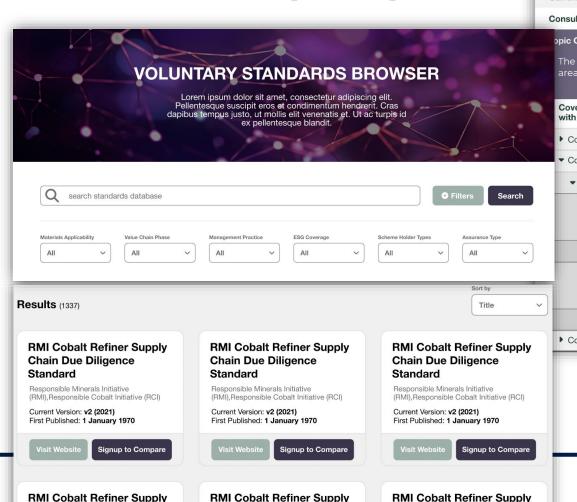
Compare

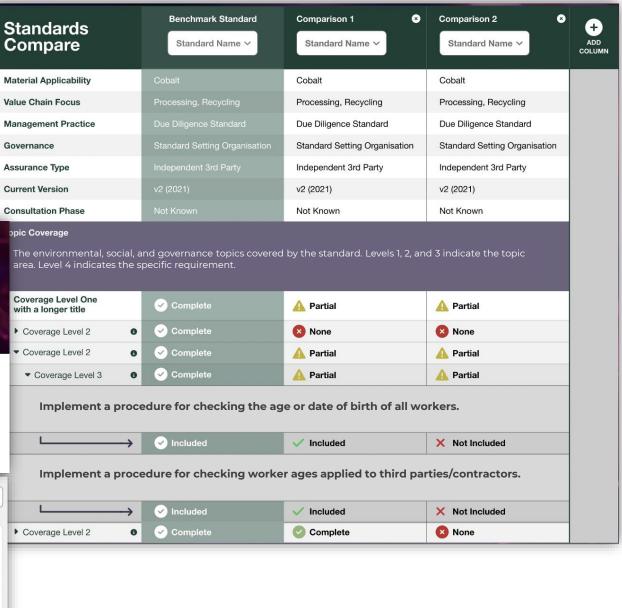




ESG Tracker

To Integrated Compliance Assurance Tool (ICAT)

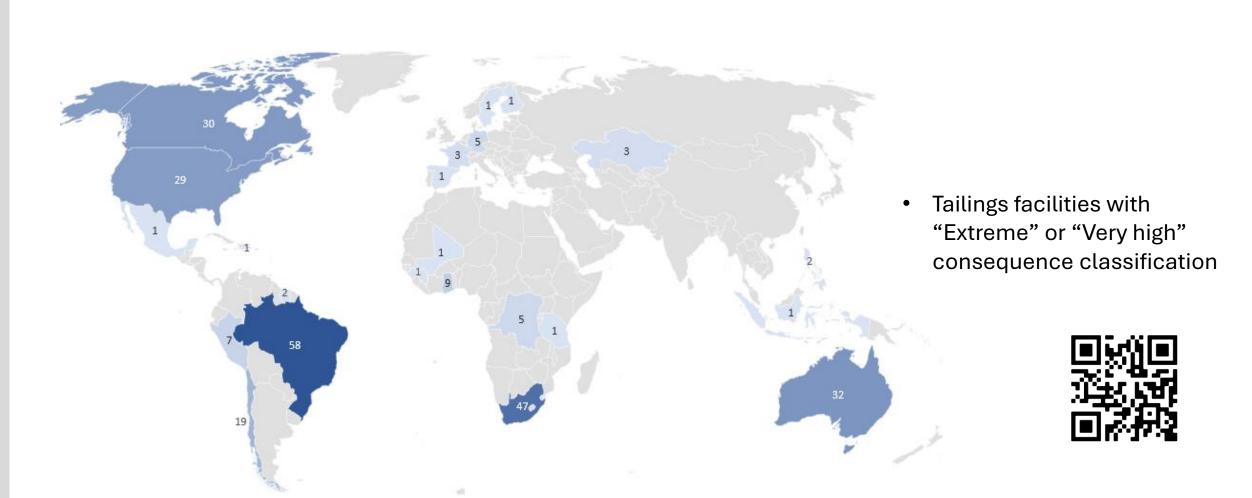






Tailings

Initial Global Industry Standard on Tailings Management Disclosure



NMA DRAFT TRIBAL ENGAGEMENT TOOL KIT

New Initiative to Help NMA Members Navigate Process:

- Introduction and basic principles
- Legal issues and historical context to understand current legal regimes and current pollical stances of native nations
- How to identify tribes, territories and off-reservation rights
- Sample step-by-step process to develop engagement strategy
- Community benefit agreements
- Case studies

Next Steps:

- Internal NMA review
- Peer review
- Review by select tribal representatives
- NMA member company review



