



ABC's Weekly Federal Legislative Update May 11, 2020

Introduction

The Senate is in session this week and will continue to work through the confirmation process for a number of the administration's nominees. The House is still unclear as to when members may come back into session. Leadership has said members will not return until the next legislative package to address the coronavirus pandemic is ready to come to the House floor. The next legislative vehicle is likely to be similar to the CARES Act and may contain an extension to unemployment benefits and/or direct payments to individuals. Democrats continue to work on a larger recovery package in parallel to this latest stimulus bill but are not ready to bring up that legislation. The following is news from Washington, D.C.

Administration

[Renewable Fuel Standard: Update on 10th Circuit Case](#)

The following is an update on the recent 10th U.S. Circuit Court of Appeals decision on small refinery exemptions to the RFS. One refiner is petitioning the U.S. Supreme Court to hear an appeal.

Marc Heller of [Greenwire](#) wrote on May 8, "One of the companies at the center of a dispute over biofuel-blending requirements at small refineries said it wants the Supreme Court to take up the issue.

"CVR Energy of Sugar Land, Texas, will appeal to the high court a ruling from the 10th U.S. Circuit Court of Appeals that rejected biofuel-blending exemptions for three refineries, company CEO David Lamp said in an earnings call yesterday.

"Because the Supreme Court takes so few of the cases it's petitioned to hear, industry groups following the issue say the odds are against resolving the issue there. But conflicting lower court rulings on small refinery exemptions could persuade the justices to take the case, petroleum industry sources say.

"We continue to believe that the 10th Circuit got it all wrong," Lamp said on the conference call. He said CVR expects other refiners will support asking the Supreme

Court to review the case and that EPA won't revise its method for reviewing exemptions until all appeals are exhausted.

"At issue are the exemptions EPA grants small refineries that demonstrate an economic hardship from meeting the biofuel requirement, which mandates that refineries either blend biofuel or buy renewable fuel credits at market prices to show compliance. Those prices have been around 35 cents per credit for ethanol, Lamp said, which refiners say is relatively expensive.

"The 10th Circuit in January rejected exemptions for three refineries in Wyoming, Oklahoma and Utah owned by CVR and HollyFrontier. Among other reasons, the court said EPA can only extend existing exemptions from the program's early days, not grant new ones — an approach that would greatly reduce the number of exemptions granted under the Clean Air Act.

"CVR and other petroleum companies say the circuit court's approach misreads Congress' intent in allowing for exemptions under the renewable fuel standard and could hobble small refineries.

"Already contentious, the issue has become more intense with the economic strain of the coronavirus pandemic. Both the petroleum industry and biofuel companies have been hit hard by sharply lower demand for transportation fuels; CVR announced yesterday a net loss of \$87 million for the first quarter of 2020 and a reduction in its dividend paid to shareholders.

"The economic stress has prompted petroleum companies to ask EPA to suspend biofuel mandates, and biofuel groups and supportive lawmakers to press the agency to keep them in place.

"Yesterday, Senator Joni Ernst (R-IA) and others urged President Trump in a letter to reject the oil industry's request.

"Waiving the RFS would cause further harm to the U.S. economy, especially our most vulnerable rural communities," Ernst wrote, joined by Senators Tina Smith (D-Minn.), Chuck Grassley (R-IA) and Debbie Stabenow (D-MI), with 20 other senators.

"It would also exacerbate the effects experienced by the biofuel sector as a result of COVID-19, causing far-reaching detrimental impacts on employment, farmers, food security, fuel prices, and the environment," they said, adding that 46% of biofuel capacity has been idled.

"The resiliency of America's renewable fuel industry has already suffered as a result of the EPA's drastic expansion of the small refinery waiver program in recent years," they said.

“The senators said the RFS helps reduce the nation's reliance on imported oil, an assertion that prompted an objection from the Fueling American Jobs Coalition, representing small refiners, gas stations and labor unions tied to refineries.

“With 46% of biofuel capacity idled, they said, holding biofuel requirements in place amounts to an import mandate. Additional biofuel, the coalition said in a statement, “would have to be imported into the United States from foreign sources, turning both energy security and climate arguments inside out.”

[Executive Order to Open Meat Processing Plants](#)

Last week, President Trump issued an executive order to require meat processing plants to stay open during the coronavirus pandemic. The following provides an update on that order.

On May 6, Marc Heller of [Greenwire](#) submitted, “Agriculture Secretary Sonny Perdue put new pressure on meatpacking plants to keep running during the COVID-19 pandemic, telling companies in a letter last night that the Trump administration is considering further action to enforce its recent stay-open order.

“In the letter, Perdue reminded major meatpacking companies of President Trump's executive order declaring the plants critical infrastructure under the Defense Production Act. He nudged them further to follow federal health guidelines to protect workers from the novel coronavirus.

"Plants should resume operations as soon as they are able after implementing the CDC/OSHA guidance for the protection of workers," Perdue said, referring to the Centers for Disease Control and Prevention and the Occupational Safety and Health Administration.

"Again, I exhort you to do this; further action under the Executive Order and the Defense Production Act is under consideration and will be taken if necessary," he said.

“Perdue didn't elaborate on the what those actions might be; the department didn't immediately return a message from E&E News this morning seeking additional comment.

"Meat processing facilities are critical infrastructure and are essential to the national security of our nation," Perdue said in a news release. "Keeping these facilities operational is critical to the food supply chain and we expect our partners across the country to work with us on this issue."

“The secretary's letter, and a similar one he sent to governors last night, comes as the meat industry continues to grapple with coronavirus outbreaks among workers in some

plants. Hog processing facilities have been hit especially hard, leading consumer groups and labor unions to call for mandatory protective equipment and other precautions in plants that reopen or remain open. Nearly two dozen meatpacking plants around the country have closed at some point during the pandemic.

“So far, the federal government hasn't required the plants to take the worker protection measures. But Perdue emphasized the issue in his letter and said idled plants that resume operations or are contemplating slowdowns should submit to USDA their health and safety protocols in accordance with the CDC and OSHA.

“In Waterloo, Iowa, Tyson Foods said it would reopen its pork processing plant tomorrow. That facility closed April 22, and health officials have said more than 444 of the 2,800 employees there tested positive for the coronavirus.

“More than half of the workers at another Tyson plant in Perry, Iowa, tested positive, the state health department said.

“Tyson, in an open letter to employees last week, said it's working with a mobile health clinic provider to give workers access to COVID-19 testing.

"The health and wellbeing of our team members and their loved ones is, and remains, our priority," the company said. "As we've shown in recent days, we will not hesitate to idle any plant for deep cleaning when the need arises."

“The North American Meat Institute, an industry group, encourages its members to share worker-protection tips with each other and has offered guidance itself, said spokeswoman Sarah Little.

"Our members' first priority is the safety of the men and women who work in their facilities," she told E&E News in a statement. "Member companies have and will continue to follow CDC/OSHA guidance and will attempt to run at full capacity as long as worker safety is ensured."

“Even with the administration's executive order, meat processing won't quickly approach past levels, people close to the industry say. The need for workers in a normally close setting to now be spaced at least 6 feet apart will mean less production.

“Pork processing in Iowa is at around 50% of capacity, Senator Chuck Grassley (R-IA) told reporters in a conference call yesterday. The senator said the pandemic's fallout has created "quite a backup on the farms" and praised Trump's executive order to keep plants open as long as they can do so safely.

"He's not going to put workers in jeopardy. He's telling companies to make an environment to give people certainty that it's safe," Grassley said.

“Others repeated calls for mandatory safety measures, and enforcement, in meatpacking plants.

"Although some employers have taken steps to protect workers, these safety protections are not mandatory and are not subject to enforcement," said Scott Faber, senior vice president of government affairs at the Environmental Working Group. "Simply exhorting employers to keep workers safe, or requiring them submit records to the USDA, is not the same as setting and enforcing emergency standards."

[Tax Credit Safe Harbor May be Extended by One Year](#)

Last week, the Trump administration signaled that it was likely to extend the safe harbor associated with the Production and Investment Tax Credits for renewable electricity for a year as a result of project development delays caused by the coronavirus.

Energywire reporter David Iaconangelo published on May 8, “The Trump administration signaled yesterday that it would extend deadlines for renewable developers to claim key federal tax credits, offering a possible lifeline to the battered wind and solar industries.

“The production tax credit and investment tax credit provide a chief source of financing for wind and solar projects. Developers can currently claim them if a project is placed in service within four years of starting construction — a period known as a "safe harbor."

“Renewable industries and their allies on the Senate Finance Committee and Senate Energy and Natural Resources Committee, led by Finance Chairman Chuck Grassley (R-IA), had asked the Treasury Department to extend that safe harbor by a year, citing the impacts of the coronavirus pandemic.

“In a reply sent yesterday, Treasury said it "plans to modify the relevant rules in the near future."

"Projects that have been waylaid by the economic disruptions of this pandemic can now proceed with more certainty," Grassley said in a statement. "That means more certainty for American businesses and families at a time when stability is in short supply."

“Greg Wetstone, president of the American Council on Renewable Energy, said his group was "encouraged" by the letter and extended "our appreciation to the Treasury Department for this important step, which will help the renewable sector continue as a key economic driver through this downturn, and an effective climate solution over the long haul."

“Dan Whitten, SEIA's vice president of public affairs, added that Congress should "take a similar approach to developing legislation that unleashes new solar and wind projects and the economic growth that comes with them.”

“A safe harbor extension has been a central plank of the wind and solar industries' desired policy response to COVID-19, along with the establishment of a direct payment mechanism that would substitute for tax credits.

“In their April 23 request to Treasury Secretary Steven Mnuchin, Grassley and five other senators said the extension was merited because the pandemic had "disrupted supply chains, construction operations, and permitting timelines" and delayed projects that would otherwise have commenced operation this year.

"Providing a temporary extension of the continuity safe harbor of five years, in lieu of the current four, would address the unforeseen interruptions developers are experiencing due to COVID-19 and provide the certainty businesses need to move forward with existing projects," the senators wrote.

“The solar industry has detailed widespread impacts stemming from the pandemic, with residential installations taking some of the worst hits. Researchers at firm Wood Mackenzie have projected delays on 2 to 5 gigawatts of solar this year alone, and predicted that the residential market will shrink by 16% to 34%. The wind industry, meanwhile, has warned that nearly one-third of its workforce could be lost, along with 25 GW of new projects, or about half of all those under construction or in advanced development.”

Congress

[Next Legislation to Address the Effects of the Coronavirus](#)

The following story discusses what may be contained in the next federal legislation to address the effects of the coronavirus.

Nick Sobczyk and Geof Koss of [E&E Daily](#) wrote on May 6, “House Democrats are moving forward with the next round of COVID-19 relief, but infrastructure and targeted boosts for the energy industry may be off the table for now.

“House leaders, tasked by Speaker Nancy Pelosi (D-CA), are rushing to finish work on part two of the Coronavirus Aid, Relief and Economic Security (CARES) Act, with hopes that the chamber could return in the coming weeks for a vote.

“That bill, however, is expected to focus on shoring up state and local government coffers, as opposed to broader economic revival.

"The most immediate relief bill is "really about investing in human infrastructure and protecting the front-liners and responding to local and state and municipal governments," said Representative Paul Tonko (D-NY), chairman of the Energy and Commerce Subcommittee on Environment and Climate Change.

"But I do think following that will be a stimulus package and an infrastructure package, which will provide ample opportunity, perhaps one-of-a-kind opportunity, to really invest in innovation, in strengthening the manufacturing base, a more self-reliant outcome for this country," Tonko said in an interview.

"All sides of the energy industry have been grappling for a piece of pandemic relief, with the oil industry suffering historically low prices and renewable projects facing delays and tax credit deadlines.

"To that end, Tonko said, a green energy tax package is "essential" down the road. "We've been sharing that message with the Ways and Means people and the Appropriations people," he said.

"He also wants to pick out various clean energy and infrastructure policies from the Energy and Commerce Committee's draft climate bill, the "CLEAN Future Act," to inject into economic stimulus talks.

"We'll be working on those priorities as soon as we shift our attention from that immediate response to economic recovery," said Tonko.

No 'wish list'

"Senate Majority Leader Mitch McConnell signaled yesterday that Republicans will continue to resist "unrelated ideological wish list items" from Democrats unrelated to COVID-19, even as he acknowledged growing desire for additional stimulus.

"I think I can speak for our conference by saying we're not ruling that out," the Kentucky Republican told reporters after the policy lunch with his caucus yesterday. "But we think ... take a pause here, do a good job of evaluating what we've already done."

"He declined to offer "any big predictions" about future bills but drew a line in the sand over business liability provisions Republicans want to shield companies for actions during the pandemic.

"I'm not ruling in or ruling out anything except to say that if there is another bill that passes in the Senate, it will include the liability protections," he said.

"While dozens of House Democrats weighed in against exempting fossil fuel companies from any sort of liability protection, McConnell yesterday suggested the GOP plan would be narrowly crafted.

"Minority Leader Chuck Schumer (D-NY) dismissed McConnell's calls to hit the brakes on more stimulus.

"We can't sit here and twiddle our thumbs and say let's wait," Schumer told reporters. "There are huge needs. And the failure to act will be far more harmful than acting to solve these problems."

Remote work plans

"With the House's return plans still uncertain, Democratic and Republican leaders continue trading proposals for remote work. In a blog post Monday, House Minority Leader Kevin McCarthy (R-CA) expanded on his plans for reopening the chamber, including committees returning in phases.

"This pandemic has claimed too many lives and livelihoods already. We must not allow the institution we are tasked with safeguarding to be the next," wrote McCarthy.

"But yesterday, House Majority Leader Steny Hoyer (D-MD), House Administration Chairwoman Zoe Lofgren (D-CA) and Rules Chairman Jim McGovern (D-MA) said the GOP plan falls short in making the chamber work during the pandemic.

"Democrats appear poised to change House rules to authorize remote work during emergencies. A full return, like the Senate's, may be a long way away.

"We need rules that allow the House to conduct oversight of the COVID-19 response, mark up critical legislation, and take votes on the House Floor without needlessly putting countless Capitol Police, staff, press, and non-partisan support staff at additional risk," wrote the Democrats."

[Congress Insists on Returning to Work, But How?](#)

The Senate returned to Washington last week and House leadership stated that members would return when the next coronavirus legislation was ready. The following story discusses how these chambers might work during the pandemic.

On May 4, Manuel Quinones, Bev Banks and George Cahlink of [E&E Daily](#) submitted, "The Senate is back on Capitol Hill today and the House may return next week, but leaders are still figuring out the logistics of working during the pandemic.

"Senators have already scheduled a series of in-person hearings, taking advantage of larger meeting rooms to secure social distancing.

"If it's essential for doctors, nurses, health care workers, truck drivers and grocery store workers and many other brave Americans to keep carefully manning their own duty stations during the pandemic, then it is essential for senators to carefully man ours and support them," Senate Majority Leader Mitch McConnell (R-KY) said on Fox News.

“The Democratic leadership has been hesitant to criticize McConnell for calling lawmakers back to Capitol Hill. Still, there is grumbling, especially considering that Washington remains under a stay-at-home order.

"I think it's unfortunate that Senator McConnell is making the Capitol police and groundskeepers and people who work in the food service come back in violation of that local order," Senator Tim Kaine (D-Va.) told MSNBC last week. "It's endangering the health of many, many people."

“The Office of Attending Physician for the Capitol put out a multipage memo to address safety concerns for lawmakers and their aides. Recommendations include minimizing the number of staff, not crowding workspaces, screening visitors and wearing face coverings.

“McConnell is confident the Senate can conduct business in a safe manner.

"We can modify our routines in ways that are smart and safe, but we can honor our constitutional duty to the American people and conduct our business in person," he said.

“Democratic Senators Debbie Stabenow of Michigan and Cory Booker of New Jersey said on a call with reporters last week they plan to keep their staff at home and their offices formally closed.

"I will be coming in and asking my staff to abide by the dictates of Washington, D.C.'s mayor and the governors of Virginia and Maryland, and so most of my staff — pretty much all of my staff — will be remaining working remotely," Booker said.

“Senate Minority Leader Chuck Schumer (D-NY) said he's leaving it to individual senators in his caucus to decide whether or not to come back to town.

"We Democrats are going to practice good social distancing and handle the situation the best we can," Schumer told reporters last week. "We will continue to have our weekly calls by phone."

“One area Democrats have questioned McConnell on, however, is his plan to conduct business not related to the novel coronavirus pandemic, including judicial nominations.

"Having hearings on a judge who is unqualified, or hearings on candidates unrelated to COVID makes no sense at all," Schumer said. "We need these oversight hearings."

“McConnell defended the move, however.

"We have many confirmations, for example," he said. "The Senate is a personnel business, the House is not — that have been bottled up by the Democrats even before

the pandemic, so we have much work to do with the American people, and we think we can do it safely."

Remote voting

"The House may change its rules as soon as next week to allow remote voting and committee work — something McConnell has declined to endorse.

"Members of the Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations met via videoconference Thursday to discuss proposals.

"Subcommittee Chairman Rob Portman (R-OH) said remote voting should "never be the norm" but should be in place for times when senators cannot safely "be in the same place."

"This is something that I think should be not looked at strictly in terms of the pandemic but the general concern that there are times when Congress either cannot physically or should not be gathering," Portman said.

"Portman and Senator Dick Durbin (D-IL) introduced a resolution in March to allow for temporary remote voting within the Senate rules.

"Martin Gold, a partner at Capitol Counsel and a former Senate Rules Committee staffer, told the panel that Congress needs to establish "guardrails" to determine when remote voting is utilized.

"I don't think there is anybody who really thinks that remote participation is a substitute for the actual Senate," Gold said.

"Senator Mitt Romney (R-UT) voiced support for remote voting during the hearing but raised concerns about the technology "becoming a political tool" during an emergency.

"I think being able to define what is a true emergency and what would require remote voting would be something that we need to pay attention to," Romney said.

"Portman noted the video conference was the "first time we've been able to do this in the U.S. Congress, certainly in the Senate."

"The full committee has scheduled a video conference hearing for Wednesday on new COVID-19 information driving policy.

In the House

"Majority Leader Steny Hoyer (D-MD) sent a letter to the attending physician Friday asking for advice on how the chamber could return.

“Speaker Nancy Pelosi (D-CA) last week declined to weigh in on the Senate's decision to come back but noted the House has more than four times as many members.

"It's better to wait," said Pelosi.

“Still, there is some committee work happening. The House Appropriations Committee is meeting to discuss pandemic issues, for example.

“House Democrats and Republicans have pledged to work together on remote work procedures, but it doesn't seem as if all GOP members are on board.

“House Minority Leader Kevin McCarthy (R-CA) echoed other Republicans who said the House should view its work as "essential" and reconvene sooner rather than later.

"I think the American public would like to see us do our job," McCarthy told reporters last week.

“The House GOP leader said he has not been pushing to bring everyone back all at once but prefers committees return first for key markups.

“McCarthy suggested committees could vote on legislation during the beginning of the week and then the entire House could return a few days later to vote on it.

"As these bills get done, you can pinpoint when they need to be voted on, and you can bring members back. So maybe all members are not back there for an entire week. They're there for a few days to vote," he said.

“He also voiced concerns about one member being able to cast votes for large groups of lawmakers.

“McCarthy this morning published his ideas for reopening Congress in a post on the platform Medium.

“Pelosi did not detail the remote work plans, but the Democratic majority appears poised to move forward on its own if necessary.

"Everybody wants to open up the Congress, but we want to do it in a way that if people have to stay home, because of this [pandemic], whether it's about themselves, a family member or the transportation, which is more difficult now, that remote voting will enable them to do that," Pelosi said. "We just have to get enough people here to do the remote voting."

Reporter Nick Sobczyk contributed.

Other

1,400 Tyson Workers at 3 Iowa Plants Get Coronavirus

E&E News PM published on May 5, "Nearly 1,400 workers at three Tyson Foods Inc. pork processing plants in Iowa have tested positive for the coronavirus, the state reported today, as deaths surged to a daily high.

"The Iowa Department of Public Health revealed for the first time that the state's largest workplace outbreak has been at the Tyson plant in Perry in central Iowa. There, 730 workers were confirmed to have the virus, a startling 58% of those tested, the department said.

"The Tyson plant in Waterloo has had 444 workers test positive, and its Columbus Junction plant has had 221 confirmed infections, the department said.

"The department said 258 workers at a National Beef Packing Co. LLC plant in Tama tested positive, as did another 131 employees of a Newton wind turbine blade plant owned by TPI Composites Inc.

"The department's deputy director, Sarah Reisetter, said the state medical director was using her legal authority to release the locations and scope of those five workplace outbreaks after determining the information was in the public interest. The department defines an outbreak as workplaces in which 10% of employees are sick or absent.

"The department didn't immediately release the number of workers who died at the plants, but the Associated Press has confirmed at least six.

"Gov. Kim Reynolds (R) said she would fly this week to Washington using campaign funds to update President Trump and Vice President Mike Pence about "what we're doing in Iowa" and thank them for the federal help.

"Reynolds said she would discuss "how testing, case investigation and our assessment are working" and how "we've tried to be proactive" responding to outbreaks at plants.

"Tyson, the other employers and public health officials had generally declined requests to release figures showing how many of their workers were infected. The silence was particularly striking in Perry, a town of 7,500 with a large Latino population.

"Tyson had closed its Perry plant for one day last month for cleaning. But the company has not suspended production there as it did for two weeks in Columbus Junction in April.

"The Waterloo plant has been idled since April 22 but is expected to reopen soon. At least three workers have died there.

“Black Hawk County Sheriff Tony Thompson, who had criticized Tyson's safety practices as inadequate last month, praised the company yesterday for outlining significant new measures when the Waterloo plant reopens.

“Tyson spokeswoman Liz Croston said that it would not hesitate to “idle any plant for deep cleaning and sanitation when the need arises” and was implementing a host of safeguards. She said all employees returning to work and new hires will be tested and the company is providing face coverings that must be worn, among other steps.

“TPI Composites said Saturday that it is working on plans to safely resume operations at its wind turbine plant, which had been paused since late last month. At least one of its workers, 54-year-old Kyle Brown, has died.

“Iowa reported today that 19 more residents have died from the coronavirus, a one-day high, and that its confirmed cases now exceed the 10,000 mark. — *Ryan J. Foley, Associated Press*”

[Meat Processing Plant Problems – What to Do with All the Dead Animals?](#)

Marc Heller of [Greenwire](#) wrote on May 4, “Faced with tens of thousands of hogs and other animals that can't move through the normal food supply chain, the livestock industry is turning to rendering, the not-so-glamorous business that turns farm animals into ingredients used in everything from pet food to shampoo to biodiesel.

“Rendering plants have stepped up operations and in some cases have retooled to handle bigger hogs than they normally would accept, according to the North American Renderers Association, a trade group. The sudden onslaught of extra farm animals due to meatpacking plant closures may be more than the industry can handle right away, NARA said.

“With rendering on the rise, an old debate is being rekindled in farm country: What's the most environmentally friendly and practical way to deal with large numbers of dead pigs, chickens and other animals?

“Rendering companies say they win on that score because greenhouse gas emissions are much lower than from a dump or a composting facility. Putting carcasses through a rendering plant also reduces the pressure on landfills, which would otherwise overflow nationally after four years, according to NARA.

“Although there are multiple ways to safely dispose of depopulated livestock, rendering is the most sustainable solution as it prevents these animals from being wasted, or sent to a landfill,” said Anna Wilkinson, director of communications for NARA, which represents big meatpackers such as Cargill Inc. and Smithfield Foods Inc., as well as less well-known players like Darling Ingredients Inc. of Irving, Texas.

"Rendering allows for the depopulated livestock to be used for new, rendered goods, such as biodiesel," Wilkinson said.

"Wilkinson didn't have a breakdown of rendering byproducts that might see a particular boost, but the range of items made from rendered pigs is exhaustive. It includes bone meal fed back to livestock and nonedible goods such as glycerin used in ink and glue, or oleic acid used in lubricants, shampoo and cleansers.

"Pet food is a major destination for rendered ingredients but also limited by some pet food companies' reliance on plants that are inspected by the Agriculture Department's Food Safety and Inspection Service — a condition that can't be met if animals are euthanized on the farm, an industry source said.

"Industry research shows that pet food makers annually use 1.5 million tons of rendered protein ingredients worth about \$563 million, including 4,000 tons of pork meal worth more than \$787,000, according to the Pet Food Institute.

"It is possible that pet food makers may need to review and adjust their sourcing, though the priority will be making sure that ingredients can still be safely used without sacrificing nutrition," Pet Food Institute President and CEO Dana Brooks said in a statement to E&E News.

"Rendering plants that are attached to meatpacking facilities have been more directly affected by shutdowns, Wilkinson said, and in turn by President Trump's executive order pushing facilities to reopen. But rendering plants not connected to meatpacking plants have remained fully operational as critical infrastructure under government policies, she said.

"The rendering industry generates about \$10 billion a year in economic activity, turning 56 billion pounds of raw material into 22 billion pounds of animal fat and oil, NARA said.

"The animals most in need of finding outlets are hogs, which are produced on a continuous, year-round cycle. House Agriculture Chairman Collin Peterson (D-MN) recently told reporters as many as 160,000 pigs a day might need to be euthanized; he helped convince JBS USA to reopen a Minnesota meat plant for that task, but the plant can handle only several thousand animals a day.

"Beef cattle, on the other hand, are raised in a more seasonal fashion with pasture grazing, and the National Cattlemen's Beef Association has said its members are able to keep animals on ranches longer.

"For Peterson, one of the biggest challenges is making sure animals that need to be euthanized are taken to larger facilities rather than killed on the farm — a measure that's traumatizing for farmers and their employees and raises environmental concerns,

depending on location. One farmer in his region, Peterson said, euthanized 3,000 pigs — and the task took 12 people and 10 hours of work.

"It was a mess," Peterson said. "There's just no way you can do this on the farm."

'Against farmers' ethics'

"But rendering alone can't handle the task, say people who work in agriculture. In most of the country, farmers live too far away to ship animals to rendering plants economically.

"The industry has had its own ups and downs as well, including a scare during the mad cow disease crisis in the 1990s that also clobbered the meatpacking industry.

"Rendering isn't a source for viral infection, NARA said, because carcasses are subjected to extended temperatures between 240 degrees and 290 degrees Fahrenheit — more than enough to kill pathogens.

"Most farmers don't have a direct link to renderers in a situation like this, said Thomas Bass, a livestock environment and sustainability specialist at Montana State University. In Montana, he said, rendering isn't an option, so composting is the top choice.

"But Montana hasn't seen the type of supply chain disruptions hurting Iowa and Minnesota, for instance, since hogs raised there are mainly shipped to midsize facilities in other states for processing, he said.

"If the situation changes, Bass said, composting may be the best option because when farmers do it right, the risk to groundwater is minimal or nonexistent, and the byproduct is fertilizer.

"Overall, I think it is important to recognize that site and regionally specific issues will determine the ultimate solution for the mortalities resulting from supply chain disruptions of this pandemic," Bass said. "I do know that other professionals like me are putting composting at the top of their lists, but not taking all other options off the table."

"One of the biggest tolls, though, is on farmers and others who work with livestock and may suffer from post-traumatic stress disorder much as a soldier coming back from battle would, Bass said.

"Depression and PTSD are common for farmers and veterinarians during and after mass animal mortality events. Wasting animals goes against farmers' ethics and human nature," Bass said. "It is one thing to send animals to slaughter for food and another to euthanize healthy animals because of a supply chain failure."