WPMA weekly update
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July 31, 2026 Visit us online at wpma.com WP-07-31-26

SARAH WELLS

OLYMPIAN

Announcing the 2027 WPMAEXPO Ladies Luncheon Speaker

Sarah Wells doesn't just talk about overcoming adversity, she hurdled it on the world's biggest stage. She even raced across deserts, mountains, and international airports on *The Amazing Race* -- proving once again that grit, adaptability, and a little bit of laughter go a long way.

Renowned for her practical strategies and compelling storytelling, Sarah empowers audiences to find their own excellence, transform challenges into opportunities for growth, and achieve lasting success.

Attendee Registration for the 2027 WPMAEXPO will open in September.
The Ladies Luncheon is a ticketed event.

The following information provided by:
EMA-Energy Marketers of America

ENERGY MARKETERS OF AMERICA EMA

Inside the Beltway Update

The 2026 midterm elections are set to be competitive, as control over both chambers of Congress will be decided by a few key races. Currently, the Republican party controls Congress with a 219-212 advantage in the House of Representatives and a 53-47 advantage in the Senate. Historically, the party in the White House loses seats during the midterm elections, and this cycle appears to be no different. Based on polling data, the House has a greater chance of flipping compared to the Senate, as 18 races have been characterized as “toss-ups” or highly competitive. While the Senate could change control, it is less likely. Democrats would have to gain four seats while maintaining several competitive seats in swing states. However, recent polls reflect single-digit races in six Republican-held seats, including Alaska, Iowa, Maine, North Carolina, Ohio, and Texas. Redistricting and retirements will likely play a significant role in the outcome of the midterm elections.

Looking ahead, Congress is working to pass a continuing resolution (CR) and Budget Reconciliation 3.0. The Senate is currently drafting its own CR without many of the “anomalies” proposed by the Office of Management and Budget. The CR may include a surface transportation and farm bill extension. Both pieces of legislation are set to expire on September 30, 2026. In addition, with the House’s passage of a Reconciliation 3.0 budget resolution, Senate Republicans face pressure from the Trump Administration to provide additional money for the Pentagon and to raise the debt ceiling. However, some members of Senate GOP leadership remain doubtful that current versions of Reconciliation 3.0 will receive the necessary 50 votes. Overall, Senate appropriators remain hopeful that the text of all 12 annual appropriations bills will be posted prior to the August recess.

Surface transportation reauthorization remains a key priority for Congress, but with its deadline approaching, a surface transportation extension is most likely to occur. The reauthorization bill, *the BUILD America 250* Act (**H.R. 8870**), which would reauthorize surface transportation, was reported favorably by the House Transportation and Infrastructure Committee on May 22 but has not moved since. Senate Environment and Public Works Chair Shelley Moore Capito (R-WV) shared that the committee is in the process of drafting a surface transportation extension, and that votes on the extension are expected to occur in September, following the August recess. Senate Environment and Public Works Ranking member Sheldon Whitehouse (D-RI) has emphasized the slim chance of a reauthorization prior to the September 30 deadline. While Congress has worked to draft an extension and eventual reauthorization, the Trump Administration has been outspoken about their requests for the bill's contents. Transportation Secretary Sean Duffy sent a **letter** to key Senate committees in hopes of advancing the Trump Administration's priorities. However, some of the requests have proven to be highly contentious. Senate Environment and Public Works Chair Capito and House Transportation and Infrastructure Chair Sam Graves (R-MO) have opposed the attachment of the Railway Safety Act as well as the proposal to eliminate the Highway Trust Fund's mass transit account and reallocate the federal fuel tax revenue to the trust fund's highway account. Surface transportation will likely be a focus for Congress in the lead up to the midterm elections.

Similarly, a farm bill extension will be a pressing issue due to the upcoming September 30 expiration. The *Farm, Food, and National Security Act of 2026* (**H.R. 7567)** passed the House on April 30 and the Senate Agriculture Committee released its **discussion draft** on June 23. Senate Agriculture Chair John Boozman (R-AR) remains determined to mark up the farm bill prior to August recess despite the absence of Sen. Mitch McConnell (R-KY). Sen. McConnell made a statement that he will return to the Senate following his recovery, but no timeline has been provided. Notably, Republicans will require full attendance to pass the farm bill along party lines as Democrats oppose the bill due to its omission of their SNAP requests.

Senate Agriculture Chair Boozman shared that the Senate is in the process of unveiling E15 legislation. Sen. Deb Fischer (R-NE) is taking the lead on the bill. She previously drafted a version of the bill that excluded reforms to small refinery exemptions, which had received opposition from oil-state lawmakers. While there is momentum among Senate Republicans such as Sen. Ernst and Sen. Jim Justice (R-WV) to pass the bill before August recess, Sen. McConnell's absence will continue to hinder any legislation that requires a party-line vote.

Mastercard Temporarily Pauses ENDS-Related Assessments Following Coalition Letter July 29, 2026

On Wednesday, Mastercard **temporarily suspended assessments** against certain retailers cited for ENDS-related compliance issues while affected merchants implement remediation plans. The card network's action follows a July 22, 2026 **coalition letter** from EMA and allied trade associations, challenging Mastercard's interpretation of FDA policy.

Background

Recently, Mastercard issued substantial fines to retailers selling vape/e-cigarette/Electronic Nicotine Delivery Systems (ENDS) products not appearing on FDA's list of 45 marketing-authorized products. Mastercard's actions appear to have followed April 2026 letters from a group of State Attorneys General, urging the payment card networks to assist in curbing sales of illicit e-cigarettes.

EMA joined the National Association of Tobacco Outlets, NACS, and the Convenience Distribution Association in a July 22, 2026 letter to Mastercard General Counsel Tiffany M. Hall. The coalition expressed support for efforts to stop illicit vape sales but objected that Mastercard's enforcement is based on the incorrect premise that every ENDS product lacking FDA premarket authorization is subject to FDA enforcement.

The coalition letter cited FDA's May 8, 2026 guidance, *Enforcement Priorities for Certain New Tobacco Products Marketed Without Premarket Authorization*. FDA explained that, because it lacks the resources to pursue every unauthorized ENDS product, it generally does not intend to prioritize enforcement against products covered by accepted and filed Premarket Tobacco Product Applications (PMTAs) (or certain pending supplemental PMTAs), provided specified criteria are met. The guidance does not apply to products presenting heightened public-health concerns or those with features appealing to minors.

The coalition asked Mastercard to revise its policy to confirm that products marketed consistent with the FDA's May 8 guidance, and in compliance with applicable state and local restrictions, may be sold at retail pending a final FDA determination on the particular PMTA at issue.

Mastercard's Response

In a July 27, 2026 reply, Ms. Hall stated that Mastercard's May 2026 acquirer update was intended to remind acquirers to be mindful of FDA and other jurisdictional requirements and to implement robust controls, and that Mastercard did not request any acquirer to alter its relationship with merchants selling lawful ENDS products. Citing additional information received regarding acquirers' specific merchant customers, Mastercard advised that it has decided to temporarily pause any assessments to provide customers additional time to execute remediation plans and ensure compliance. Mastercard committed to providing updates as they become available.

What This Means for EMA Marketers

Although Mastercard has paused assessments, it has not yet indicated that it will adopt the compliance standard reflected in FDA's May 8, 2026 enforcement guidance. EMA and the coalition continue to maintain that this guidance permits the retail sale of certain products with pending PMTAs notwithstanding the absence of a marketing authorization.

Members that have received Mastercard assessments or communications from their acquiring bank should:

- preserve all assessment notices and related correspondence;

- document the PMTA status of ENDS products offered for sale;
- verify compliance with applicable state ENDS directory and licensing requirements; and
- continue working with their acquiring institution regarding any requested remediation while the temporary pause remains in effect.

EMA will continue its efforts with the coalition to seek clarification that Mastercard's policies appropriately reflect FDA's current enforcement guidance.

Mid-Level Ethanol Blends: Opportunities and Constraints in the Move Beyond E-15
Most gasoline sold in the United States today contains up to 10% ethanol with a growing offering of E15. In addition, environmental, market, and other issues may drive a push for higher ethanol blends. This week the Transportation Energy Institute (TEI) released a white paper on mid-level ethanol fuels. The paper titled **Mid-Level Ethanol Blends: Mid-Level Ethanol Blends: Opportunities and Constraints Opportunities and Constraints in the Move Beyond E15** provides a discussion of the issues and perspectives associated with manufacturing, marketing, and using mid-level ethanol blends. It provides an overview and discussion of federal and state regulations and industry standards and varying and contrasting perspectives on mid-level blends including environmental impacts, vehicle and fueling equipment compatibility, misfuelling, and retail availability. The paper concludes that significant challenges would need to be overcome to successfully bring mid-level ethanol fuels to the market. These challenges include a standard regulatory definition for mid-level fuels, regulatory clarity on the marketability, widespread availability and installation of compatible equipment, an approach to prevent misfuelling, and availability of fuel for vehicles restricted from using mid-level fuels.

EMA's Fall Meeting at the NACS Show 2026: October 5-6: Website and Registration Open!
Get ready for an exciting and productive EMA Fall Meeting, held alongside the NACS Show! Connect with industry leaders, gain valuable insights, and celebrate excellence at the Wynn Las Vegas!
Event Highlights:

- Oct 5, Afternoon: Kick off with a New Attendee Orientation & Federal Legislative Update to get up to speed on key issues.
- Oct 5, Evening: Join the EMA/NACS Reception Salute to State Association Executives at the Wynn/Encore Chopin Patio sponsored by Altria and PMI.
- Oct 6 Morning: Start your day with a Buffet Breakfast, followed by Region and Committee Meetings to collaborate and strategize.
- Oct 6, Afternoon: Celebrate at the Distinguished Service Award Luncheon, honoring former Kentucky/Ohio Marketer and EMA Past Chair Jeff Lykins, proudly sponsored by Federated Insurance. The EMA Board of Directors Meeting will follow.

Register now in the link below and be part of the EMA Fall Meeting at the NACS Show. We look forward to seeing you in Las Vegas! For more details, **visit the website**.

An invitation was sent to your inbox on July 16. Responding to the links on the invitation email is the recommended way to register. Sunday, October 4, 8 rooms are available, for Monday, October 5, 30 rooms are available, for Tuesday, October 6, 32 rooms are available and for Wednesday, October 7, 33 rooms are available so please do not delay in making plans click the link below! Members have access to all other hotels with availability in the block. If the general block has rooms, you will continue to see those options.

Click Here for EMA's Fall Meeting at the NACS Show Information!

Remember, the NACS Show registration is separate from EMA's Fall Meeting registration.

Special EMA Members Code for NACS Show 2026 Registration
Using the **EMANS2026** code provides EMA with $100 for every retailer or marketer paid registration at any rate. **EMA encourages EMA state execs to promote and share with your state association's member companies. Click here for the flyer.**

**Please note that EMA State Execs are comped for NACS Show registration. Additionally, the NACS Show registration is separate from EMA's Fall Meeting registration.

Questions registering for NACS Show? Contact NACS Show registration customer service at **nacs@maritz.com** or 469-513-9489, Monday-Friday, 9:00 a.m. - 5:00 p.m. EST, for assistance.

Click Here to Register for the NACS Show

Crude Oil and Refined Products Outlook 2026 Complimentary Webinar by StoneX Financial Inc.
Tuesday, August 25, 2026, 3:00 PM Eastern Time
Join us for a comprehensive overview of the crude oil and refined products market presented by Alex Hodes, Director of Market Strategy – Energy, for StoneX Financial Inc.'s FCM Division.

This webinar provides an outlook on these markets for the upcoming quarter, including:

- **What potential supply/demand risks exist?**
- **Where do inventories stand?**
- **What is the expected pricing environment ahead?**
- **What infrastructure changes or developments may be important over the next several months?**

Get unique insights from quantitative metrics, along with tips for navigating these uncertain times.
REGISTER NOW

Weekend Reads
What Happened When America Lifted Its Self-Imposed Energy Embargo | CATO | Jones Act Gazette

U.S. is making most fuel since 2019, but it's still not enough - TT

EPA weighs RFS deadline extension amid high renewable credit costs, sources say | Reuters

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Federated Insurance 2 1/2-Day Risk Management Academy Specifically for the Petroleum Industry

This event will be held **August 11-13, 2026** in Owatonna, Minnesota
You are responsible only for the cost of travel, lodging (at a discounted rate), and incidental meals.

Key Topics

- Developing a Risk Management Culture
- Learning the importance of risk management for businesses
- Advantages of using Federated DriveSAFE℠ Telematics
- Evaluating workers compensation risks
- Focusing on business succession and employee retention

Register today!

Federated Insurance: It's Your Life
How Last Survivor Insurance Can Help Protect Your Estate
Over the years, you've worked hard to grow the **value of your business**, property, and other investments. When it's time to settle your estate, much of that value may be tied up in these assets, not in cash. If the total value of your estate exceeds filing thresholds set by the IRS or your state, estate taxes could take a large portion of it.[1]

To cover those taxes, your heirs might have to sell the assets you've spent a lifetime building. This issue can arise after the death of the surviving spouse, when estate taxes and final expenses become due.[2]

Benefits of a Last Survivor Life Insurance Policy
A last survivor life insurance policy can help. It covers two lives (usually you and your spouse) and pays out only after the second death. The death benefit from a last survivor policy can:

- Provide cash to cover estate taxes and settlement costs.
- Help protect your business from being broken up or sold.
- Prevent heirs from being forced to sell assets quickly.

Because the policy pays only once, it can be more affordable than buying two separate policies for the same purpose. It can also work with an Irrevocable Life Insurance Trust (ILIT) to keep proceeds outside your taxable estate and give you control over how funds are used.
A last survivor policy isn't for everyone. Since it doesn't pay after the first death, you may need additional coverage if income replacement or early liquidity is important. Your tax and legal advisors can help you decide if this type of policy can be a good addition to your **estate plan**.

Talk to your Federated® **marketing representative** for a referral to a member of Federated's network of independent attorneys to learn more or for additional information or to discuss this in further detail, please contact your **Federated** regional representative or EMA's National Account Executive **Jack West** at **507.455.5175** for any additional information or risk management questions.

This article is for general information and risk prevention only and should not be considered an offer of insurance or legal, financial, tax, or other expert advice. The recommendations herein may help reduce, but are not guaranteed to eliminate, any or all losses. The information herein may be subject to, and is not a substitute for, any laws or regulations that may apply. This information is current as of its publication date and is subject to change. Some of the services referenced herein are provided by third parties wholly independent of Federated. Federated provides access to these services with the understanding that neither Federated nor its employees provide legal or other expert advice. All products and services not available in all states. Qualified counsel should be sought with questions specific to your circumstances.

At Federated Insurance, It's Our Business to Protect Yours®

The ***WPMA NEWS*** currently serves EIGHT independent petroleum and convenience store associations.

WPMA NEWS CURRENT ISSUE

Click **HERE** for a previous *WPMA News* issue

EMA JOURNAL - The Official Publication of the Energy Marketers of America

EMA JOURNAL CURRENT ISSUE

REGISTRATION OPEN

Click on the event below to register

NMPMA Convention **Registration**

UPMRA Convention **Registration**

PLEASE NOTE UPCOMING DATES FOR EVENTS
Aug 5-7, 2026 IPM&CSA (Idaho) Convention, Coeur d'Alene Resort, Coeur d'Alene, ID
Aug 18-19, 2026 NMPMA (New Mexico) Convention, Sandia Resort, Albuquerque, NM
October 27-29, 2026 UPMRA (Utah) Convention, Hilton Garden Inn, St. George, UT

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Petro Pete: **Why did the raisin go out with the prune? Because he couldn't find a date.**

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