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SUMMER MAGAZINE
CONGRATULATIONS to the 2025
SCHOLARSHIP RECIPIENTS!



Check your mailbox for the [WPMA News](http://wpma.com) Summer Magazine.

2026 WPMAEXPO registration OPENING SOON! Watch for details to come!

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



Inside the Beltway Update

All eyes are on House and Senate leaders this month as Congress has just over two weeks to pass a stopgap funding bill and prevent a government shutdown on September 30. However, Republicans and Democrats remain far apart in bipartisan negotiations, meaning the risks of a lapse in funding are increasing.

This week, Republican leaders, including Senate Majority Leader John Thune (R-SD), announced their support for a short-term, “clean” continuing resolution (CR) to fund the government past September. The duration of a Republican-led stopgap funding measure remains unclear; however, a CR is likely to extend government funding through November or December to allow for additional negotiations on appropriations bills. Nevertheless, House and Senate Democrats have expressed opposition to a clean CR and are demanding Republican leaders agree to include several health care policy priorities as part of a spending bill in return for Democrats’ support. Democratic votes are needed to advance a CR in the Senate and may be required in the House due to defections among House Republicans. House Republicans are expected to begin consideration of a stopgap funding bill on the House floor as soon as next week.

As high level talks continued this week, House Republicans also continued to advance annual appropriations bills in committee, teeing up potential bicameral funding negotiations before the end of the year. On Tuesday, the House Appropriations Committee advanced its FY 2026 Labor, Health and Human Services (LHHS) appropriations bill, which proposes a \$10 million increase for the Low-Income Home Energy Assistance Program (LIHEAP). On Wednesday, the House Appropriations Committee also advanced its FY 2026 Commerce-Justice-Science appropriations bills, bringing the total number of appropriations bills advanced by the Committee to twelve.

Meanwhile, Senator Mike Lee (R-UT) introduced legislation Tuesday to block the Environmental Protection Agency (EPA) from reallocating Renewable Fuel Standard renewable volume obligations (RVOs) waived via the small refinery exemption (SRE) program. Senators John Barrasso (R-WY), Bill Cassidy (R-LA), Ted Cruz (R-TX), and Cynthia Lummis (R-WY) are cosponsoring the legislation, titled the *Protect Consumers from Reallocation Costs Act of 2025* ([S.2742](#)). In a press release accompanying the bill, Sen. Lee stated the bill “would block the EPA from forcing refineries to shoulder forgiven fines from refineries that do not meet the EPA’s environmental standards.” The bill is now pending before the Senate Committee on Environment and Public Works.

FTC Drops Appeal of Noncompete Rule, Shifts to Case-by-Case Enforcement

The Federal Trade Commission (FTC) has voted 3–1 to end its efforts to defend its court-vacated noncompete rule in federal court, officially abandoning the appeal. The noncompete rule, finalized in April 2024, prohibited employers from entering in new noncompete agreements with workers and required the rescission of existing noncompete clauses. While there is a slim chance that third parties could petition to take over the case, the FTC itself is no longer pursuing the rule in court.

Notably, the FTC last week announced an enforcement action against a pet crematorium's use of noncompetes. The Commission also issued a Request for Information (RFI) seeking input on how noncompetes affect competition, with responses intended to guide future enforcement priorities. Importantly, the FTC acknowledged that noncompetes can be both valid and beneficial, and there is no indication that a new rulemaking effort is underway. Instead, the Commission is signaling a return to case-by-case enforcement under its existing authority.

Federal Appellate Court Strikes Down DOE's 2024 EV Fuel Economy Rule

On September 5, the U.S. Court of Appeals for the Eighth Circuit vacated a 2024 Department of Energy (DOE) rule that revised how DOE calculates the petroleum-equivalent fuel economy of electric vehicles (EVs). The rule would have gradually phased out a "fuel content factor" that has boosted EVs' miles-per-gallon-equivalent since 2000, thereby requiring automakers to sell more EVs to meet fleetwide Corporate Average Fuel Economy (CAFE) standards. A three-judge panel unanimously held that DOE lacked statutory authority to apply such a factor to EVs and further faulted the agency for procedural defects under the Administrative Procedure Act.

The court explained that while Congress expressly allowed DOE to apply fuel content factors for certain alternative fuels, it provided no such authority for electricity. Citing the Supreme Court's *Loper Bright* decision, the panel emphasized that courts—not agencies—are responsible for statutory interpretation. Additionally, the court ruled that DOE unlawfully introduced supportive data in the final rule that was not in the proposal, depriving stakeholders of the chance to comment. Thus, the court vacated and remanded the regulation to the agency.

The ruling has the unusual effect of reviving DOE's 2000 regulation, which includes the very fuel factor the agency had attempted to gradually eliminate and that cannot be part of the regime altogether. In an upcoming rulemaking, DOE must address the court's holding, which could have the effect of boosting EV production by immediately eliminating the fuel factor that DOE has no authority to use. However, the agency has laid the groundwork for removing EVs altogether from the CAFE standard-setting process: its June interpretative rule indicated that DOE must focus on internal combustion technology when setting fuel economy values. Additionally, Congress has also weighed in. The Big Beautiful Bill Act eliminated civil penalties for noncompliance with federal fuel economy standards, which weakens the CAFE regime and raises questions about its long-term relevance.

For EMA marketers, the decision removes immediate regulatory pressure that could have forced automakers to accelerate EV sales more aggressively. While uncertainty remains over how long current CAFE developments will last, recent policy shifts may encourage automakers to adjust production strategies in ways that help preserve motor fuel demand in the medium and long term, particularly if federal GHG standards for vehicles are rolled back. EMA will continue to monitor DOE's next steps and ensure marketers' interests are represented.

"CAFE standards cannot be a backdoor to incentivize EV production. EMA will continue to advocate before DOT and EPA to ensure fuel efficiency policy accounts for liquid fuel considerations, is bound by statutory authority, and not committed to an EV-oriented outcome," said EMA President Rob Underwood.

EMA Supports a Permanent Ban on Additional Fees for SNAP EBT Transactions

This week, EMA joined other organizations representing retailers who serve SNAP participants, in urging the House and Senate Agriculture Committees leadership to make permanent a provision of the 2018 Farm Bill that protects customers and retailers by prohibiting additional fees from being levied from SNAP EBT transactions.

The permanent ban was included in the 2024 Farm Bill, "Farm, Food, and National Security Act of 2024," which advanced out of the House Agriculture Committee last congress.

A bipartisan bill known as the Ensuring Fee-Free Benefit Transactions (EBT) Act (H.R. 4158) has been introduced as a standalone measure. EMA is calling on Congress to pass it this year, either through a multi-year Farm Bill or another legislative vehicle, to permanently ban states and their contractors from imposing processing or related fees on the state's side of SNAP EBT transactions—fees that would otherwise burden SNAP-authorized retailers and their merchant processors.

Introduced by Rep. Wied (WI) alongside Congresswoman Shontel Brown (OH), the legislation seeks to shield small and independent retailers from financial penalties for accepting SNAP customers, boost overall participation in the SNAP program, and maintain accessibility in rural and underserved communities.

Click [here](#) to review the letter.

FDA Plans to Fast Track Reviews of Four Firms' Nicotine Pouches

According to meeting transcripts recently seen by Reuters, the U.S. Food and Drug Administration (FDA) plans to fast-track reviews of four tobacco firms' nicotine pouches. Altria, Reynolds American, part of British American Tobacco, Philip Morris International, and Turning Point Brands.

Under pressure by the White House to review nicotine pouches more efficiently, the four firms will make up a pilot program that could provide a faster launch for the brands selected for the review, possibly as soon as December. Previously tobacco companies had to wait years for their products to be cleared. In January 2025, the FDA authorized the first nicotine pouches, with the marketing of 20 Zyn nicotine pouch products. To review the Reuters article, go to [Exclusive: US FDA to fast-track nicotine pouch reviews amid White House pressure | Reuters](#)

EMA's Fall Meeting at the NACS Show 2025: October 13-14: Website and Registration Open!

EMA will hold its Fall Meeting in conjunction with the NACS Show on October 13-14 at the InterContinental Chicago Magnificent Mile.

The EMA meeting will begin with a New Attendee Orientation/Federal Legislative Update mid-afternoon on October 13. The NACS/EMA Reception Salute to State Association Executives (all EMA members are welcome) will follow at the McCormick Place Convention Center in the Hunter Club Lounge. On the morning of October 14, there will be a Buffet Breakfast followed by Region and Committee Meetings. The EMA Board of Directors meeting is scheduled after the Distinguished Service Award Luncheon honoring Louisiana Marketer and EMA's Past Chair Grady Gaubert sponsored by **EMA Board of Director Council Partner Federated Insurance**.

An invitation was sent to your inbox on September 7. Responding to the links on the invitation email is the recommended way to register. Housing registration deadline is September 19, 2025 (Subject to Change) for Sunday, October 12, rooms are sold out, for Monday, October 13, 87 percent is sold out, for Tuesday, October 14, 80 percent is sold out and for Wednesday, October 15, 76 percent is sold out so please do not delay in making plans! 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 2025 Registration

[Click Here to Register for the NACS Show and Use the EMA Promocode:2025EMANS](#)

Using the **2025EMANS** 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.**

[Click here](#) for full instructions to register. 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.

Weekend Reads

[After 14 detentions, Mexico's top prosecutor vows more actions against fuel crimes | MSN](#)

[White House Weighs EPA Compromise on Biofuel Waivers | OILPRICE](#)

Federated Insurance: It's Your Life You Can't Predict The Future, But You Can Plan For It

You've poured your time, energy, and passion into building your business. But have you taken the time to plan for what happens when you're no longer in charge?

Many business owners put off [succession planning](#) or rely on generic [buy-sell agreements](#) that don't reflect the unique needs of their business or family. Without a tailored plan, you could leave your [legacy](#) to chance.

Good Succession Planning Starts with the Right Questions:

When preparing for the future, consider what should happen to ownership shares if you or an owner retires, becomes disabled, or passes away. Standard plans often miss important details, but a strong, tailored plan can help you address key areas, such as:

- **Family Dynamics:** Are there blended families or heirs not involved in the business? A customized plan can help reduce or avoid future conflict.
- **Business Valuation:** Establishing a clear, agreed-upon [method for valuation](#) can save time, money, and stress later.
- **Tax Strategy:** Smart planning today can help [minimize tax burdens](#) tomorrow.



- **Legacy Protection:** A good plan can keep peace among family members and business partners. This helps make sure your wishes are followed.

Take Control of Your Business' Future

Decide what you want to happen when an owner exits, then compare it to your current plan. If there's a gap, now is the time to act.

[Contact your Federated® Insurance marketing representative](#) today to connect with an independent and qualified estate planning attorney or please always feel free to contact your [Federated](#) regional representative or EMA's National Account Executive [Jack West](#) at 262.719.7750 for any additional information or risk management questions.

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

WPMA NEWS MAGAZINE CURRENT ISSUE

Click [HERE](#) for a previous WPMA News issue

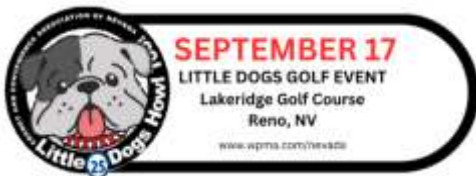


EMA JOURNAL - The Official Publication of the Energy Marketers of America

EMA JOURNAL CURRENT ISSUE

REGISTRATION OPEN

Click on the desired event below to register



ECAN Little Dogs Golf Event [Registration](#)



HEMA Golf Event [Registration](#)

PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

September 17, 2025 Nevada (ECAN) Golf Event - Lakeridge Golf Course, Reno, NV

October 3, 2025 Hawaii (HEMA) Golf Event - Royal Ka'anapali Course, Lahaina, HI

February 17-19, 2026 WPMAEXPO - MGM Grand - Las Vegas, NV

April 23-24, 2026 ECAN (Nevada) Big Dogs, Red Rock Resort, Las Vegas, NV

June 22-24, 2026 WOMA (Washington) Convention, Suncadia Resort, Cle Elum, WA

July 12-14, 2026 OFA (Oregon) Conference, Sunriver Resort, Sunriver, OR

Aug 5-7, 2026 IPM&CSA (Idaho) Convention, Coeur d'Alene Resort, Coeur d'Alene, ID



2026 WPMAEXPO KEYNOTE SPEAKER

TIM TEBOW

Tim Tebow knows what it takes to lead with purpose under pressure. From championship locker rooms to the boardroom, he challenges leaders and teams to rethink success—not by what they achieve, but by the impact they create.

Join us at the WPMAEXPO!

Keynote Session

February 18, 2026

Registration information coming soon!

Member Services



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Convenience Stores Against Trafficking



We Card

Free training and printed materials



TransForce

Help finding drivers



Hertz Car Rental

Petro Pete: What's Irish and stays out all night? Patty O'Furniture.

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