

United States Senate

MAJORITY LEADER

January 4, 2017

Mr. Donald J. Trump
President-Elect of the United States of America
Presidential Transition Headquarters
1800 F Street NW, Room G117
Washington, DC 20270-0117

President-Elect Trump,

Throughout your campaign, you inspired the American people with your vision of less regulation, free and fair competition, and enhanced job opportunities. Personally, I appreciate your public commitment to provide relief for coal communities, which has been a top priority for me, and I write today to propose a few ways that we might work together towards that goal.

As you know, coal is an affordable and reliable energy source that stimulates growth across the economy and employs thousands. This is especially true for the manufacturing sector, which I know is of particular interest to you. Maintaining access to affordable domestic energy is essential for creating more domestic production, protecting jobs, and promoting the manufacture of goods, which are among the many reasons why maintaining coal production is so important.

Kentucky is the third-largest coal producing state and has long enjoyed a history of robust coal production. However, the industry in Kentucky has been experiencing a downward spiral over the past several years with coal employment levels at their lowest level since the late-nineteenth century.

This decline is due in large part to President Barack Obama's War on Coal, which has made coal more expensive to mine, transport, and utilize for energy production. Further complicating matters is the fact that these mounting regulatory burdens and increased compliance costs have been imposed during a period when production and supply of natural gas has been high and costs have been relatively low. However, those who claim that the decline in coal production is solely due to low natural gas prices are not seeing the full picture. Rather, imposing federal regulations that directly increase the cost of mining and utilizing coal unfairly disadvantages one commodity in the marketplace. In addition, I have concerns about recent shifts away from coal infrastructure in favor of natural gas. Historically, natural gas prices have fluctuated over time and continuing to shift our infrastructure away from coal could have harmful lasting economic effects if gas prices shift back to the high levels experienced not long ago.

Instead, we should be focusing on maintaining a competitive and diverse fuel supply, which is of paramount importance for moving our nation forward, and this begins with leveling the playing field for coal. Additionally, it is equally important that we work together to repair some of the damage left in the wake of President Obama's War on Coal. Specifically, I hope you will consider working with me and other supporters of coal miners to take the following actions:

- Implementing an immediate stay of enforcement of the so-called Stream Protection Rule (81 Fed. Reg. 93066). This midnight regulation, which the administration pushed through in the final days of President Obama's term, is a direct assault on coal mining operations, and it must be

stopped. I plan to introduce a resolution of disapproval to overturn this regulation in its entirety, and ask for your support in passing this measure.

- Declining to continue the legal defense of the costly and likely illegal Clean Power Plan regulation (CPP/80 Fed. Reg. 64661) as well as the overreaching Waters of the U.S. regulation (WOTUS/80 Fed. Reg. 37054). Federal courts issued nationwide stays on both regulations, which should provide your administration with some flexibility to begin executive action to overturn them. As you know, the CPP seeks to force states to alter their energy markets away from coal utilization, and WOTUS seeks to extend EPA jurisdiction to nearly every body of water, puddle, or ditch. Both rules are an abuse of power, are harmful to coal communities, and need to be rescinded.
- Taking administrative action to halt enforcement of the EPA's Carbon Pollution Standards for New, Modified and Reconstructed Power Plants (80 Fed. Reg. 64510), which the EPA admitted was designed to stop new coal-fired power plants from being built. I also encourage you to support the actual intent of the Clean Air Act, which was to establish reasonable, adequately demonstrated, and commercially achievable standards that will allow new coal-fired power plants to be built today and in the future.
- Encouraging economic growth in coal communities by prioritizing funding in your budget proposals for job training and education, transportation infrastructure, the reclamation of abandoned mine sites, and the Appalachian Regional Commission. I also hope you will support my efforts – and those of Representative Hal Rogers of Kentucky – to maintain the AML Pilot Program, which provides funding to Appalachian coal communities for reclamation and growth-oriented economic development efforts.
- Working with Congress on a long-term solution for protecting the health care benefits for retired coal miners. We need to ensure that thousands of retired miners in Kentucky and throughout the country do not lose access to the health benefits I helped secure for them in the current Fiscal Year 2017 Continuing Resolution. I would have preferred a long-term solution for their health care benefits and am looking forward to working with you to ensure we can enact one this year.
- Prioritizing cutting-edge technology—including clean coal technology—to ensure a continued future in the energy market for coal and coal-fired power plants both domestically and abroad.

Moving forward, I believe these are just a few of the ways we can help our coal communities and get our nation back on the path to economic growth. Throughout my career, I have fought on behalf of coal miners and their families, and I look forward to working with you to deliver for these communities that have been on the front lines of the regulatory assault of the last eight years.

Sincerely,



MITCH McCONNELL
U.S. SENATE MAJORITY LEADER

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