

Rogers' Remarks in Opposition to Moran Amendment Strips Out Funding Prohibition for Stream Protection Rule in Bill

I rise in OPPOSITION to the amendment.

Coal supplies 42% of the electricity that powers our homes and our businesses. And yet, without concern for job losses in the mining and utility sectors or higher electric bills for families and manufacturers, this Administration has waged war on Appalachian coal over the last three and a half years.

The primary weapons have been EPA regulations and guidance on mining permits and power plant emissions. The result has been that, in the month of June alone, nearly 1,000 miners have been laid off in my region of southern and eastern Kentucky. In some counties this has driven up the unemployment rate by entire points. By the end of this month, Kentucky will have lost about 15% of the coal jobs that existed in the Commonwealth before this President took office. While our communities have been particularly hard-hit, the story is much the same throughout Appalachia.

As with so many of its policies, the Administration has demonstrated time and again that sops to radical environmental groups are more important than following well-established, congressionally-approved procedures for regulations that give due consideration to public opinion and economic impacts. Enough is enough.

This disregard for hardworking Americans extends to the Office of Surface Mining's hurriedly revisited Stream Protection Rule.

First, the current rule was just finalized in 2008 to create a buffer between mining sites and nearby streams, so that the environment was impacted as little as possible. The 2008 rule followed a five-year rulemaking process supported by more than 5,000 pages of environmental analysis from 5 different agencies and 40,000 public comments. Coal companies have already taken the initiative to minimize the volume of excess dirt and rock and are more than willing to comply with state and federal laws that are clear, consistent, and provide certainty for investments.

Second, by its own admission, OSM is placing 9% of mining jobs across the country on the chopping block with this proposed rule. Unfortunately, outside analyses show those estimates are conservative. By prohibiting as much as 43% of recoverable coal resource from being mined, this proposed rule could put over 200,000 coal-related jobs at risk in Appalachia alone.

When some of these more dire estimates became public last year, OSM abruptly fired subcontractors responsible for drafting the Environmental Impact Statement (EIS). Some of these contractors have gone under oath saying that OSM pressured them to change their underlying assumptions to reduce this damning jobs result. When they refused, they were fired. There are currently a handful of subpoenas sitting in waiting.

This episode shows that OSM may be understating the significant economic impact of revising the rule and that the Office is going to extreme, possibly illegal lengths to conceal its own experts' opposition to its political line.

In line with the provisions in the underlying bill, I do not believe that Congress should provide OSM with any money to continue its flawed and politically-charged propagation of a burdensome, and unnecessary rule.

As a result I must OPPOSE this amendment and urge a NO vote.