

Chairman Alan S. Lowenthal
Energy and Mineral Resources Subcommittee Legislative Hearing:

H.R. 4248, Surface Mining Control and Reclamation Act Amendments of 2019
November 14, 2019

The Subcommittee on Energy and Mineral Resources will come to order.

The Subcommittee is meeting today to hear testimony on H.R. 4248, Representative Cartwright's Surface Mining Control and Reclamation Act Amendments of 2019.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member or their designees.

I ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted to the Subcommittee Clerk by 5:00 pm today. *[pause]* Hearing no objection, so ordered.

I also ask unanimous consent for Congressman Glenn Thompson to sit on the dais and participate in this morning's hearing. *[pause]* Hearing no objection, so ordered.

First, I'd like to welcome our witnesses and thank you all for being here with us today.

To begin, I want to emphasize the bipartisan nature of this legislation and thank Congressman Cartwright and Congressman Glenn Thompson, a former long-time Republican member of this committee, for their work on this bill and their longstanding commitment to addressing the tremendous number of abandoned coal mines that are still endangering people's safety and the environment across the country.

I'm proud to be a cosponsor of this legislation, and I hope we can get this bill onto the House Floor and enacted into law long before the Abandoned Mine Land program expires.

I know Congress is known for waiting until the last possible second on absolutely everything, so discussing this nearly two full years before expiration may seem out of character.

But this is a problem that isn't going away, and our states and communities need the certainty that would come with an early reauthorization. I think the coal industry deserves that certainty as well.

Over forty years ago, the Abandoned Mine Land program was enacted with a key idea that I believe we can all agree on: that the coal industry should pay for its legacy of pollution, not the American people.

For more than two hundred years, the coal industry in the United States boomed. Coal powered the world's largest economy and helped us win World War II.

But while the industry soared, the cleanup was left unregulated, and left behind were rivers running red with pollution, mountains of waste rocks, webs of unstable mine shafts, and massive scars across the landscape.

Thankfully, in 1977, Congress passed the Surface Mine Control and Reclamation Act, or "SMACK-ra", which created a system designed to ensure that all new surface coal mines would be properly reclaimed and would not leave behind harmful environmental degradation.

SMCRA [SMACK-ra] also established a system for cleaning up abandoned mines. This system required the coal industry to chip in a small fee to fix the health, safety, and environmental hazards that they had left behind for so many years.

The A-M-L program has been in place for more than forty years now, and with it, we've been able to make some real progress.

Nearly 6 billion dollars have been awarded to states and tribes across the country to clean up these sites. That's 6 billion dollars-worth of cleaner water, cleaner land, jobs and economic opportunity. I look forward to hearing more about some of these successes today.

But still, the cleanup is far from done. It is estimated that there are more than 10 billion dollars' worth of abandoned coal mine sites that still need to be reclaimed.

And as I've alluded to, the fees being paid by the coal industry are set to expire in less than two years.

Two years is not enough time to clean up two centuries of pollution.

There is no doubt that the coal industry is in decline. Even with fierce support from the Trump administration, coal company after coal company has fallen into bankruptcy. Just last week, Murray energy became the latest coal giant to go under.

And as these companies go bankrupt, the executives get golden parachutes while they seek to shed their generations-old promises to pay for the retired, the sick, the widows and the widowers.

Many in the industry say they can no longer afford to pay the A-M-L fee – but if they are absolved of that responsibility, that becomes one more thing that falls on the people the industry left behind.

Dealing with polluted water they can't drink, suffering from diseases that shorten the quality and length of their lives, and living in towns that are desperate for new economic opportunities.

Workers and communities are being hit hard by the decline of coal. They need new jobs and economic development opportunities, and they need them now. The A-M-L program and the RECLAIM Act, which we reported out of this committee earlier this year, provide just that.

With that, I look forward to the testimony from our witnesses, and I now recognize Ranking Member Gosar for his opening statement.