

The Honorable Robert C. Scott  
Chairman, House Education & Labor Committee  
Washington, DC 20510

The Honorable Patty Murray  
Chair, Senate Committee on Health,  
Education, Labor & Pensions  
Washington, DC 20510

The Honorable Richard Neal  
Chairman, House Ways & Means Committee  
Washington, DC 20510

The Honorable Ron Wyden  
Chairman, Senate Finance Committee  
Washington, DC 20510

January 13, 2022

Dear Chairpersons Scott, Neal, Murray, and Wyden:

On December 31st, 2021, the single source of revenue for the Black Lung Disability Trust Fund (BLDTF) was cut by more than half. Thousands of coal miners and their families rely on the BLDTF to pay their benefits - health insurance and a small living stipend. The living stipend for a miner is less than \$700 a month, but the health insurance can make all the difference for the survival of families dealing with this awful disease. The stipend, though small, is often one of the primary sources of income for widows and family members left behind when miners succumb to the disease.

The only source of revenue for the BLDTF is a small excise tax on domestically sold coal. If the tax is cut or goes away, taxpayers end up picking up the bill, the Trust Fund goes further into debt, and the benefits that miners have earned are put under a cloud of uncertainty. That's why the Black Lung Association has been fighting for a long-term extension of the excise tax. Legislation introduced by Representative Scott and Senators Manchin, Warner, Casey, Kaine, and Brown would extend the excise tax at its historic rate for ten years, but this legislation needs your support to pass. For the past two years, the historic excise tax rate (\$1.10 per ton for underground coal and \$0.55 for surface-mined coal) has been maintained by one-year extender bills, but our mining families need to know this program will be funded for the long term.

Last year, your Committees worked diligently to include a four-year extension of the excise tax in the Build Back Better Act (BBBA) alongside other impactful policies for miners including incentives for manufacturers to locate and create jobs within coal communities, and policies to ensure that workers have the right to form a union. However, without a 2021 tax extender bill or the passage of BBBA, the tax rate was cut by more than half at the end of 2021, putting the BLDTF further into debt and putting miners' benefits at risk. Based on 2021 revenue collection, we can estimate that the fund is losing, on average, approximately \$2.8 million each week that the tax rate is not extended. That amounts to new tax benefits for coal companies and new expenses that fall on taxpayers.

Given the urgency to restore the excise tax to its prior rate and the uncertainty concerning the passage of the BBBA, as leaders of your committees, the Black Lung Association members, the United Mine Workers of America and 67 supporting organizations signed on below urge you to act expediently in 2022 to support and pass the *Black Lung Benefits Disability Trust Fund Act of 2021* (S. 2810). Miners and families impacted by black lung need the stability of a longer term extension of the excise tax so they can address other urgent issues - including a study on the adequacy of the benefits, the need for workplace protections to prevent the disease, and legislation that addresses the BLDTF's solvency crisis over the long-term.

Sincerely,

**Gary Hairston**, President, National Black Lung Association; President of the Fayette County WV Black Lung Association

**Vonda Robinson**, Vice President, National Black Lung Association

**Dianna Perdue**, Secretary, National Black Lung Association; Treasurer, Kanawha County WV Black Lung Association

**Arvin Hanshaw**, President, Nicholas County Black Lung Association

**Dean Vance**, President, Southwest Virginia Black Lung Association, Chapter 1

**Bethel Brock**, President, Southwest Virginia Black Lung Association, Chapter 2

**Mark Lane**, President, Wyoming County WV Black Lung Association

**Brenda Ellis**, Vice President, Wyoming County WV Black Lung Association

**Judith Riffe**, Secretary Treasurer, Wyoming County Black Lung Association

**Fred Pinson**, Vice President, East Kentucky Coalfield Black Lung Association

**Linda Adams**, Secretary, East Kentucky Coalfield Black Lung Association

**William Jay McCool**, Vice President, Black Lung Association of Southeastern Kentucky

**Patty Amburgey**, Secretary, Black Lung Association of Southeastern Kentucky

**Mike Hairston**, President, McDowell County Black Lung Association

**Howard Mitchelson**, President, Mercer County Black Lung Association

Kanawha County Black Lung Association

United Mine Workers of America

Supporting and Partner Organizations:

American Friends Service Committee - West Virginia

Americans for Tax Fairness

Appalachian Citizens' Law Center

Appalachian Community Services

Appalachian Land Study Collective

Appalachian Voices

Appalshop

Berea College  
Breathe Project  
Bronx Jews for Climate Action  
Center for Coalfield Justice  
Center for Rural Strategies  
Central Illinois Healthy Community Alliance  
Charleston, WV Branch NAACP  
Chesapeake Climate Action Network  
Christians For The Mountains  
Citizens Coal Council  
Clearfork Community Institute  
Climate Action Alliance of the Valley  
Coal River Mountain Watch  
Earth Action, Inc.  
Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR)  
Eco-Justice Collaborative  
Faith Alliance for Climate Solutions  
Friends For Environmental Justice  
Friends of the Earth U.S.  
Gesundheit Institute  
Greater Highland Area Concerned Citizens  
Grow Gillespie, IL  
Gwendolyn Ridge, LLC  
Highlander Research and Education Center  
Illinois People's Action  
Jewish Climate Action Network  
Jewish Climate Action Network NYC  
Joe Hill Music LLC  
Kentuckians For The Commonwealth  
Kentucky Interfaith Power and Light  
Kentucky Resources Council  
Keystone Research Center  
League of Women Voters of the United States  
Livelihoods Knowledge Exchange Network (LiKEN)  
National Wildlife Federation  
On the Levels Farmstead, LLC.  
Pennsylvania Council of Churches  
Pennsylvania Jewish Earth Alliance  
Rainelle Medical Center's Black Lung Clinic  
Respiratory Health Association  
Rural Action  
RuralOrganizing.org

Sierra Club  
Southern Appalachian Labor School  
Southern Appalachian Mountain Stewards  
Statewide Organizing for Community eMpowerment (SOCM)  
The Alliance for Appalachia  
Thrive at Life: Workplace Solutions  
Tifereth Israel Congregation  
Tó Nizhóní Ání  
Tri-Area Community Health  
Virginia Organizing  
West Virginia Citizen Action Group  
West Virginia Council of Churches  
West Virginia Environmental Council  
West Virginia Interfaith Power and Light  
West Virginia Rivers Coalition  
Western Colorado Alliance  
Western Organization of Resource Councils  
Woodland Community Development Corporation