

August 24, 2023

Dear Members of the House of Representatives,

Coal mining communities across the country have unique disadvantages hindering their ability to transition to new, sustainable economies. Though recent legislation such as the Bipartisan Infrastructure Law, the Inflation Reduction Act, and the CHIPS and Science Act, and the FY22 and FY23 appropriations bills have given a significant boost to these and so many other struggling communities, the proposed House FY24 appropriations bills represent an enormous step backwards for coal-impacted communities, and fail to meet the needs outlined by community voices earlier this year<sup>1</sup>.

**We urge members of the House to vote no on the following appropriations bills, and revise the appropriations to better protect and uplift the people in the communities that have powered our nation for decades:**

- FY 2024 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriation Act (H.R. 4368)
- FY 2024 Commerce and Justice, Science Appropriations Act
- FY 2024 Energy and Water Appropriations Act (H.R. 4394)
- FY 2024 Interior, Environment, and Related Agencies Appropriations Act
- FY 2024 Labor, Health and Human Services and Related Agencies Appropriation Act

Below, we outline specific concerns regarding each of these bills.

*Agriculture, Rural Development, Food and Drug Administration*

The USDA's **Rural Partners Network (RPN)** was launched in April 2022 and is now active in 36 community networks in 10 states, including the coal-impacted communities in Alaska, Kentucky, New Mexico, and West Virginia, providing much needed capacity in rural communities to identify projects for funding and provide technical assistance. But more communities need this vital support. Additional funding is needed to expand this program to more communities to ensure federal investments end up where they are needed most. We must ensure that funds are available to maintain the incredible success of the program thus far and expand the program to new communities where federal investment is needed most. Our organizations requested \$32 million in funding for the RPN for FY24; the House proposed appropriations for USDA includes no funding for the RPN.

Additionally, H.R. 4368 rescinds \$1 billion from the **Empowering Rural America** program and \$500 million from the **Rural Energy for America Program**, both of which support new energy infrastructure and jobs in rural communities. Further, the bill eliminates the grant option under REAP, making the program inaccessible to most small farmers and business owners.

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<sup>1</sup> <https://appvoices.org/images/uploads/2023/05/Coal-Communities-FY24-Appropriations-Priorities-Senate-5.1.23b.pdf>

### Commerce and Justice, Science Appropriations Act

The bipartisan CHIPS and Science Act of 2022 established the new **Distressed Area Recompete Pilot Program**, which will provide economic development opportunities targeting areas where prime age employment rates are significantly lower than the national average – many of which are communities impacted by the decline of the coal industry. The FY23 appropriations legislation provided a \$200 million initial budget for the program. This program launched recently and the first round of applications are due in October. Our organizations requested \$200 million to continue the program into FY24, but the House Commerce appropriations bill does not include any funding for the program. It is important that new programs for under-resourced communities have consistent and stable funding.

Further, the Commerce appropriations bill includes an astonishing 49% cut to the **Economic Development Administration (EDA)** budget. EDA's programs leverage private and local government funding to support innovation, competitiveness, and economic growth throughout the country, including infrastructure projects, planning, and technical assistance, with dedicated programs for coal communities transitioning to new, diverse economies that can withstand the booms and busts of the coal industry.<sup>2</sup> This proposed budget cut would be a devastating blow to economic development efforts in coal country.

Lastly, the Commerce appropriations bill includes provisions (Section 219) that will require the U.S. Attorney General to use and issue a decision on an outdated environmental impact statement and approve a Letcher County, KY prison within 30 days of the bill's passage. It would also shield decisions about the prison from judicial review, an act that would strip local residents of their right to engage in the permitting and public comment process. Further, community members in Letcher County are calling on Congress not only to maintain their right to participate in the permitting process for the facility, but also asking that Congress rescind the \$505 million earmarked for this facility.<sup>3</sup> National and state researchers have thoroughly documented that Federal prisons provide little if any economic stimulus to the local economy and community advocates are calling for the money to be invested in more meaningful development priorities such as rebuilding housing and public infrastructure after devastating floods that hit the county just one year ago.<sup>4</sup>

### Energy and Water Appropriations Act

**The Interagency Working Group on Coal and Power Plant Communities and Economic Revitalization (IWG)** was established in 2021 to foster economic revitalization of coal communities and coordinate federal resources to these communities over the past two years. This work has been critical to providing coal-impacted communities the necessary capacity and technical assistance to be able to access federal funding opportunities established in the Bipartisan Infrastructure Law, the bipartisan CHIPS and Science Act, and the Inflation Reduction Act. Congress allocated \$3 million to the agency in FY23, but the House appropriations bill provides no financial support for this critical effort. With no set appropriations for the IWG, efforts to help coal communities secure necessary federal funding will be severely hampered.

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<sup>2</sup> <https://www.eda.gov/funding/programs/american-rescue-plan/coal-communities-commitment>

<sup>3</sup> <https://concernedlethercountians.org/find-out-what-your-neighbors-are-saying.html>

<sup>4</sup> <https://kypolicy.org/wp-content/uploads/2023/05/Facts-Dont-Support-Economic-Argument-for-Proposed-Federal-Prison-in-Letcher-County-1.pdf>; <https://onlinelibrary.wiley.com/doi/full/10.1111/j.1540-6237.2010.00690.x>

## Interior, Environment, and Related Agencies Appropriations Act

**The Office of Surface Mining Reclamation and Enforcement (OSMRE)** monitors permitting and enforcement at coal mines, in addition to administering reclamation programs including the **Abandoned Mine Land (AML)** reclamation program and the **AML Economic Revitalization Program (AMLER)**. Given the historic investment in the AML program established in the Bipartisan Infrastructure Law and the lack of reclamation at modern mines as the industry declines,<sup>5</sup> it is crucial that OSMRE have the necessary operating budget to provide oversight, enforcement, and administration of these programs. The proposed 10% cut to OSMRE's operating budget will significantly hamper efforts to administer AML and AMLER grant programs efficiently and effectively, and reduce the agency's ability to enforce regulations related to mine reclamation at modern-era mines, putting coal communities in danger of mine-related disasters such as landslides and polluted waterways.

Further, in April 2023, a coalition of sixty-one organizations submitted [a letter to the Interior, Environment, and Related Agencies appropriations subcommittees](#) requesting that Congress allocate \$5,000,000 in dedicated funding to the **Appalachian Regional Reforestation Initiative (ARRI)**. This funding would allow for ARRI to scale up its reforestation and revegetation program on coal mined lands, significantly improving the patchwork of funding currently available through private and state partnership that make up ARRI's budget. In the present House Appropriations bill, there is no dedicated funding for this program, significantly impacting OSMRE's ability to adequately reforest and revegetate mined lands for public and commercial usage, inhibiting public land usage and the development of related private business in rural areas of Appalachia.

Lastly, while our organizations are pleased with the increased budget allocation to the AMLER program compared to FY23 levels, we are alarmed at the proposal to slash funding to OSMRE's operating budget if funds are not distributed to states and tribes within 90 days. This proposal from the Appropriations committee seeks to address a problem of delays in getting AMLER dollars to the projects in a timely manner, but this problem is not caused by OSMRE.<sup>6</sup> Per research conducted by the Reclaiming Appalachia Coalition, the primary delay in getting funding to AMLER projects is the "planning phase" including project designs and technical analysis. Reducing OSMRE's involvement does not fix these difficulties. Instead, OSMRE should allow states and tribes to use a portion of AMLER funding for technical assistance in a pre-application phase so that applicants that are ultimately awarded funding have better worked through the technical aspects of their projects before applying for grants.

## Labor, Health and Human Services and Related Agencies Appropriation Act

The Labor appropriations bill fails to reauthorize the **Low Income Household Water Assistance Program (LIHWAP)**. Without the LIHWAP program, many low-income households are, and could become, at risk of losing their access to water through water shutoffs because they cannot afford to pay their water bills. Since the program began, over 850,000 households across the country have benefitted. Utilities also benefit from the LIHWAP program. Households' inability to pay for services can cause revenue gaps for utilities, and requires them to spend money trying to collect and punish unpaid bills.

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<sup>5</sup><https://www.npr.org/2022/10/17/1129402179/coal-producers-legally-must-restore-damaged-land-but-some-are-dodging-obligation>

<sup>6</sup><https://reclaimingappalachia.org/wp-content/uploads/2022/06/GotFiveOnIt-FINAL-6-7-2022.pdf>

Additionally, the Labor appropriations bill proposes a 16% decrease to the **Mine Safety and Health Administration's (MSHA)** budget compared to FY23 levels, and is 27% less than the amount requested by the agency. Since 2013, MSHA's total full-time equivalents (FTEs) have decreased by approximately 30%. At the same time, due to increased exposure to silica dust, an epidemic of black lung disease has emerged in Central Appalachia over the last decade. The emergence of this epidemic corresponds to a decade of decline in the Mine Safety and Health Administration's staff. Such a significant decrease in funding for enforcement in conjunction with an increase of cases of this deadly disease is unconscionable.

Lastly, the Labor and Health bill proposes a 50% cut to the budget for the **AmeriCorps** program. Since its inception in 1993, the Corporation for National and Community Service (CNCS) has supported AmeriCorps programs across the country, working with seniors, on community service projects, and aiding in much-needed conservation efforts at federal agencies, as well as all fifty states and US territories' related agencies. AmeriCorps programming significantly benefits local communities and provides on-the-job training for many young Americans who dedicate a portion of their life to national service opportunities. Reduction in budgets for CNCS of upwards of fifty percent does not "right-size" this vital agency, but rather reduces the efficiency of AmeriCorps programs and directly harms low-income communities who rely heavily on these members for capacity building support.

Each of the proposed budget cuts described above would be extremely harmful to efforts to revitalize and protect coal communities across the country. Taken together, the proposed FY24 House appropriations bills will be devastating. We urge a no vote on each of these bills, and ask that you fully fund these vital health, safety, and economic development initiatives.

Sincerely,

The Alliance for Appalachia

Appalachian Citizens' Law Center

Appalachian Voices

Appalshop CMI

Breathe Project

Center For Coalfield Justice

Coal River Mountain Watch

Concerned Letcher Countians

East Kentucky Water Network

Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR)

Friends For Environmental Justice

Friends of the Cheat

Kentucky Conservation Committee

Kentucky Resources Council

Kentucky Riverkeeper  
Latino Farmers & Ranchers International, Inc.  
Livelihoods Knowledge Exchange Network (LiKEN)  
Martin County Concerned Citizens  
Mid-Ohio Valley Climate Action  
National Wildlife Federation  
PennFuture  
ReImagine Appalachia  
Rise Up WV  
RuralOrganizing.org Education Fund  
Sierra Club  
Taproot Earth  
Virginia Organizing  
West Virginia Council of Churches  
West Virginia New Jobs Coalition  
West Virginia Rivers Coalition  
Western Colorado Alliance  
Western Organization of Resource Councils