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ROCKEFELLER DEFENDS RETIRED COAL MINERS' BENEFITS

BECKLEY, W.VA. – Senator Jay Rockefeller today said he plans to introduce legislation, the *Coalfield Accountability and Retired Employee Act*, that would protect the pension and lifetime health benefits thousands of retired coal miners and their families were promised – and are now in jeopardy. Rockefeller met today with a group of coal retirees, along with United Mine Workers of America (UMWA) President Cecil Roberts and U.S. Rep. Nick Rahall, to discuss the importance of preserving these promised benefits.

“In West Virginia, a promise made is a promise kept. And when it comes to our coal miners – who put their lives, limbs and lungs on the line under the promise of a secure future for them and their families – there should never be any backing away from that pledge,” Rockefeller said. “I’ve heard from retirees and their loved ones who are deeply fearful and rightfully angry. This legislation is about human decency, it’s about doing what’s right, and it’s about having the backs of those who have ours deep underground.”

“Clearly, every effort must be made to preserve health care benefits for these retirees who worked so hard to produce the coal that powered this Nation,” said Rahall. “This effort is about justice, about integrity, and about keeping faith with the federal obligation to the health and welfare of our coal miners.”

“If nothing is done, we are looking at a situation where people are going to have to make cruel choices,” Roberts said. “Will they eat or get their medicines? Will they pay the mortgage or get the surgery they need? This is literally a matter of life and death for thousands of people in West Virginia and throughout the nation’s coalfields. These miners lived up to their end of the bargain and went to work everyday in the mines. They did nothing wrong, but now their health, their income, their security and their very lives are at risk. The bill will go a long way toward righting this terrible wrong.”

These retirees are facing such uncertainty because the UMWA’s 1974 pension plan, which covers more than 100,000 mineworkers, including more than 35,000 West Virginians, is severely underfunded and on the road to insolvency – a result of the recent financial crisis and fewer contributions to the plan.

In addition, Patriot Coal, a spin-off from Peabody Energy and Arch Coal, is facing bankruptcy and could shed its obligations to retirees. This means more than 12,000 retired miners, including nearly 7,000 West Virginians – the vast majority of whom actually worked for Peabody and Arch – and their dependents would lose health benefits, and the 1974 pension plan would be further crippled.

To address this two-fold crisis, Senator Rockefeller plans to offer *The Coalfield Accountability and Retired Employee Act*, which seeks to provide certainty and peace of mind to retirees and their families. In addition to holding employers accountable for the commitments they make to their workers, Rockefeller's bill would:

- Amend the Surface Mining Control and Reclamation Act to transfer funds in excess of the amounts needed to meet existing obligations under the Abandoned Mine Land fund to the UMWA 1974 Pension Plan to prevent its insolvency;
- Make any retiree who loses benefits following the bankruptcy or insolvency of his or her employer eligible for the 1992 Benefit Plan, which was established under the Coal Act and provides health benefits to retired or disabled miners and their families; and,
- Provide that employer contributions are not unfairly penalized by the tax code and receive the same tax-exempt treatment as contributions to other pension plans, allowing the full value of employer cash contributions to go to the retirees who earned them.

Rockefeller's efforts through the *Coalfield Accountability and Retired Employee Act* build upon a longstanding record of steadfastly pursuing fairness for miners and their loved ones. He engineered passage of the 1992 Coal Act, which preserved health benefits for 200,000 retired miners and their widows who had been promised these benefits by both the federal government and their companies, some of whom believed they shouldn't have to keep this pledge. Rockefeller again led the charge in 2006 to protect these health care plans from insolvency.

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