

1 A RESOLUTION urging Congress to pass the Miners Protection Act.

2 WHEREAS, in 1946, faced with the prospect of a long strike that could hamper
3 post-war economic recovery, President Harry Truman issued an Executive Order
4 directing the Secretary of the Interior to take possession of all bituminous coal mines in
5 the United States and to negotiate with the United Mine Workers of America "appropriate
6 changes in the terms and conditions of employment"; and

7 WHEREAS, after a week of negotiations, the historic Krug-Lewis agreement was
8 announced and signed in the White House with President Truman as a witness; and

9 WHEREAS, the agreement created a welfare and retirement fund that guaranteed
10 lifetime payments to miners and their dependents and survivors in cases of sickness,
11 permanent disability, death or retirement; and

12 WHEREAS, the agreement also created a separate medical and hospital fund; and

13 WHEREAS, in 1947, the government returned control of the mines back to their
14 owners and a new collective bargaining agreement was reached with the companies that
15 guaranteed retirement benefits to miners and their dependents and survivors for life; and

16 WHEREAS, for the next 70 years, miners bargained for money to be dedicated to
17 their health care in retirement, because they knew when they retired they would be sicker
18 than the average senior citizen, with more nagging injuries and a greater risk of black
19 lung or some other cardio-pulmonary disease; and

20 WHEREAS, the federal government has repeatedly confirmed its role in
21 guaranteeing retirement benefits for coal miners; and

22 WHEREAS, in 1992 Congress passed and President George H.W. Bush signed into
23 law the Coal Act, which established an industry-funded mechanism for paying for the
24 health care of retirees whose companies had gone out of business; and

25 WHEREAS, in 2006, Congress and President George W. Bush amended the Coal
26 Act to expand the financial resources available to the fund; and

27 WHEREAS, a depression reigns in America's coalfields today, with tens of

1 thousands of jobs eliminated; and

2 WHEREAS, multiple companies have filed for bankruptcy and received approval
3 from bankruptcy courts to shed their retiree obligations, leaving more than 26,000 retirees
4 confronting the loss of their health care benefits; and

5 WHEREAS, like many other multiemployer pension funds, the United Mine
6 Workers of America 1974 Pension Fund lost a significant portion of its value in the
7 recession of 2008 through 2009, and, due to the devastation of the coal industry, will not
8 receive enough contributions from the employers to make up the shortfall, leading the
9 fund to likely become insolvent by 2022; and

10 WHEREAS, on December 9, 2016, Congress passed a Continuing Resolution to
11 continue funding for federal programs and services until April 28, 2017, including a
12 provision providing \$45 million for continued health care benefits for these retirees and
13 their families until April 30, 2017; and

14 WHEREAS, Senators Joe Manchin and Shelley Moore Capito of West Virginia
15 have introduced legislation co-sponsored by Republicans and Democrats, the Miners
16 Protection Act, that would amend the Coal Act to allow retirees from recently bankrupt
17 companies to get health care coverage from the United Mine Workers of America Health
18 and Retirement Funds and would repurpose the balance of an existing appropriation to
19 provide funding to shore up the pension plan; and

20 WHEREAS, Representative David McKinley of West Virginia has also introduced
21 the Miners Protection Act in the House of Representatives, and it is also co-sponsored by
22 both Republicans and Democrats; and

23 WHEREAS, America's coal miners have sacrificed much for our nation, with more
24 than 105,000 killed on the job in the last century and more than 100,000 having died from
25 coal workers' pneumoconiosis, also known as black lung; and

26 WHEREAS, knowing those risks, miners have continued to go to work every day to
27 provide for their families, build secure futures for themselves, and produce the fuel that

1 has allowed America to become the most powerful nation on earth; and

2 WHEREAS, America has an obligation to our retired coal miners for the sacrifices
3 they have made for our nation;

4 NOW, THEREFORE,

5 *Be it resolved by the Senate of the General Assembly of the Commonwealth of*
6 *Kentucky:*

7 ➔Section 1. The Kentucky Senate urges the United States Congress to pass the
8 Miners Protection Act as soon as possible and provide the full measure of benefits these
9 retirees were promised and have earned.

10 ➔Section 2. The Clerk of the Senate shall send a copy of this Resolution and
11 notification of its adoption to the President and Vice President of the United States, the
12 Speaker of the United States House of Representatives, the Minority Leader of the United
13 States House of Representatives, the Majority Leader of the United States Senate, the
14 Minority Leader of the United States Senate, and each member of Kentucky's delegation
15 to the United States Congress.