Congress of the United States
Washington, DC 20515

July 22, 2013

The Honorable Barack Obama
The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

We are writing to express our grave concern about your intentions to implement New Source Performance Standards (NSPS) addressing greenhouse gas emissions for new and existing power plants as outlined in your June 25, 2013 speech at Georgetown University. Circumventing the will of Congress, which has repeatedly voted against carbon regulations, taxes, and cap and trade, this speech directs EPA to take the unprecedented step of imposing an energy tax by regulatory fiat. This catch-all proposal would unfairly penalize existing facilities and almost certainly preclude the construction of new coal-fired plants.

We and others have often criticized a "War on Coal" waged by this White House and these accusations were met with firm denial by Administration officials and environmentalist allies. However, given the cumulative impact of continued mining permit delays, EPA regulations, and your annual budgets' repeated proposed cuts to the Department of Energy's fossil energy research and development programs, it is hard to come to any conclusion other than that your Administration is systematically trying to eliminate the use of carbon fuels, particularly coal. More to the point, Mr. Daniel P. Schrag of the President's Council of Advisers on Science and Technology finally feels comfortable admitting: "Politically, the White House is hesitant to say they're having a war on coal. On the other hand, *a war on coal is exactly what's needed.*" This remark by a senior White House "expert" demonstrates that these policies are explicitly an attempt to drive coal from the marketplace.

Even before the announcement of the NSPS greenhouse gas rules, the harm inflicted by recent regulatory attacks on jobs and coal were clear. Rules such as Mercury and Air Toxics Standards have raised the cost of doing business in the electric utility industry by billions of dollars annually and mandated pollution control technologies that either do not exist or are commercially unviable. At a time of sustained high unemployment and a weak economic recovery, particularly in Appalachia and the former manufacturing hubs of the Rust Belt currently burdened with double-digit jobless rates, piling on billions of dollars in additional red tape further undermines our economy and weakens the long-term outlook for these communities. For example, between 2011 and 2012, Kentucky lost 5,700 coal jobs, 4,100 of which last year alone – a decline of 29.9%. According to your Administration's own figures, the number of coal mining jobs dropped by 3,300 in West Virginia in 2012. Statistics like these are repeated throughout our nation's coal-producing states. As dire as these numbers are, they cannot truly reflect the hardship confronting the proud, hardworking men and women who have been forced into the unemployment lines.

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Sadly, Appalachia is not alone. Fully one-fifth of the nation's coal plants – 204 plants across 25 states – closed between 2009 and 2012. Seven EPA regulations proposed over the last four years will cost $16.7 billion annually once fully implemented. Power plants of any type are multiyear, multibillion dollar projects, and this onslaught of regulations will deter the investment in new facilities as older plants are retired and a recovering economy renews energy demand. The rate hikes attendant with the loss of 69,000 megawatts of coal-fired power are forecasted to cost 887,000 mining, utility, shipping, and downstream manufacturing across the country per year. The manufacturing sector, which was making a comeback due largely to affordable energy, will again be put at a cost disadvantage compared to foreign competitors.

Ultimately, these policies pose a challenge not only to our economy, but also to our national security. The United States has 250 years worth of domestic coal reserves at current consumption rates. These resources, combined with oil, natural gas, nuclear, and renewables could finally make the United States energy secure – a goal of every presidential Administration since Richard Nixon.

We ask that you stand with our constituents, our coal miners, and our coal communities by rejecting these proposed NSPS greenhouse gas regulations to reflect the true commercial realities of different fuel types and control technologies. Staying the present course will only prove disastrous: increasing unemployment, raising costs for American families and businesses, and reducing our energy security.

Sincerely,

Harold Rogers
Member of Congress

Shelley Moore Capito
Member of Congress

Nick J. Rahall, II
Member of Congress

Robert Aderholt
Member of Congress

Mike Simpson
Member of Congress

Bill Shuster
Member of Congress

Jo Bonner
Member of Congress

John Carter
Member of Congress

Robert E. Latta
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Brett Guthrie
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Gregg Harper
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Keith Rothfus
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