

Congress of the United States
House of Representatives
Washington, DC 20515-5001

March 5, 2009

The Honorable Nick J. Rahall, II
Chairman
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Rahall:

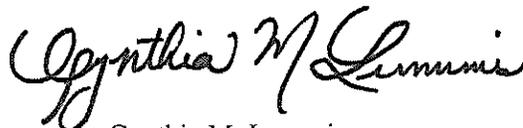
I write to request your assistance in halting an effort by the Administration to end Abandoned Mine Lands (AML) payments to certified States such as my home State of Wyoming.

As you are aware, the Fiscal Year 2010 (FY10) budget request that President Obama has submitted to Congress contains numerous and wide ranging provisions to increase revenue to the U.S. Treasury. One such provision, entitled "Terminating payments to coal-producing States that no longer need funds to clean up abandoned coal mines," will have a particularly negative impact on Wyoming. Perhaps more pertinent to your concerns, Mr. Chairman, the provision also stands directly contrary to a bipartisan and multiregional agreement you and my predecessor, former Rep. Barbara Cubin, so capably crafted in this House.

As you know, when the AML program was created in 1977, Congress made several obligations. First and foremost, the program was created to fund the clean-up of abandoned mine lands in coal-producing and historic production states like Wyoming, Montana, West Virginia, and Pennsylvania. To fund this clean-up, coal producers pay a Federal tax into the AML Trust Fund for every ton of domestic coal mined. Fifty percent of that tax goes to clean-up. However, the other fifty percent was intended to be returned to the States from which that coal was mined. This was a promise made, but one the federal government failed to honor until Republicans and Democrats, Easterners and Westerners, coal producers and the mine workers' union all came together to support a bill reauthorizing the federal AML program. It is my understanding that this success would have been virtually impossible without your leadership.

I respectfully request your assistance in ensuring that the terms of the 2006 agreement are honored by this Congress by turning away the President's termination of AML payments to certified states such as Wyoming and Montana. I thank you kindly for your past work on the AML tax issue and I await your response and guidance on this matter.

Sincerely,



Cynthia M. Lummis
Member of Congress