

# United States Senate

WASHINGTON, DC 20510-4804

June 6, 2018

COMMITTEES  
APPROPRIATIONS  
ENERGY AND NATURAL RESOURCES  
INTELLIGENCE  
VETERANS' AFFAIRS

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
Washington, DC 20510

Dear Leader McConnell:

In December 2015, when 22,600 coal miners and their widows were on the brink of having their healthcare ripped away from them, I fought every effort to end that session of Congress because I couldn't justify going home to celebrate the holidays while my friends and neighbors were stuck having to choose between putting food on the table and getting their prescriptions filled. While I am encouraged by your announcement that the United States Senate will remain in session through August, we must use that time to address the critical issues facing the American people such as creating good jobs, keeping our promises to our coal miners, stabilizing the health insurance market, and stopping the opioid epidemic.

With the national unemployment rate falling to 3.8% and 223,000 new jobs coming online in the past month, many people in Washington seem to think that anyone who wants a job can just go out and get one. Unfortunately, that's not what we're seeing in West Virginia. The unemployment rate in Calhoun County is 10.3%. It's 9.2% in Pocahontas County, 8.9% in Clay County, and 8.3% in McDowell County where we lost both our biggest employer and grocery store when Walmart pulled out of town more two years ago.

But there are bipartisan proposals we can take up this August that will give West Virginia workers a fair, fighting shot in today's global economy. My bipartisan *Capitalizing on American Storage Potential Act (S. 1337)* will help the Appalachian region to responsibly develop our abundant natural resources and attract new investment. The *U.S. Call Center Worker and Consumer Protection Act (S. 515)* puts American workers first by ensuring that taxpayer dollars will not continue to subsidize shipping jobs overseas, and it puts American consumers first by giving them the right to speak with a call center based right here in the U.S.A. We should debate and pass appropriations bills that fully fund effective job skills and training programs such as YouthBuild and Job Corps that help at-risk youth and various grant programs administered by the Appalachian Regional Commission and the Economic Development Administration that support innovative workforce development programs throughout West Virginia.

We should also support the President's efforts to stop foreign trade deals that have allowed other countries to benefit and grow at the expense of our people. We need to make sure we give the Administration the resources it needs to inspect our imports and combat fraud. During the August work period, we should take up and pass an annual appropriations bill for the Department

of Homeland Security that provides sufficient resources to implement the 232 tariffs on steel and aluminum imports and collect antidumping and countervailing duties. We also should pass the *Foreign Investment Risk Review Modernization Act (S. 2098)*, that I've cosponsored, which would prevent foreign governments from undermining our economy.

The multiemployer pension system in this country is in crisis. As many as 114 multiemployer pension plans, including the United Mine Workers of America 1974 Pension Fund, are expected to become insolvent. And the UMWA Fund will fall first if we do nothing. These plans cover almost 1.3 million workers and are underfunded by over \$36 billion. If Congress does not act soon, more than 85,000 coal miners, including over 26,000 in West Virginia, will lose their hard-earned pensions through no fault of their own. These people are the backbone of our economy. For generations, they have deferred their wages in order to earn pension benefits for retirement. Inaction is inexcusable.

As a member of the Joint Select Committee tasked with solving the pension crisis, I am working with my colleagues – Republican and Democrat – to identify a viable solution, but I have been around Washington long enough to know that nothing happens without a deadline. I've filed the bipartisan *American Miners Pension Act (S. 1911)* to protect the pensions of our coal miners and the *Prioritizing Our Workers Act (S. 1963)* to revise the bankruptcy code. The *Prioritizing Our Workers Act* puts workers at the front of the creditor line so we can break the vicious cycle where bankruptcy courts allow companies to break their promises to their employees. I'm open to debating any serious proposal that allows us to protect peoples' hard-earned pensions, and I look forward to working with you during the upcoming August work period to craft a responsible bipartisan package that will ensure millions of Americans' pensions will be there when they need them.

West Virginia families saw double digit increases in their health insurance premiums last year and are bracing for another large rate hike again this year. The uncertainty injected into the market by the efforts to repeal the Affordable Care Act last year has already raised costs for my constituents over the past year, and the repeal of the individual mandate combined with regulatory changes is projected to take another \$1,400 out of their take home pay next year. Fortunately, there are commonsense, bipartisan proposals we could pass tomorrow that would limit health insurance premium increases, protect choices, and maintain consumer protections in the individual and small groups markets in West Virginia. I am proud to cosponsor both the bipartisan Alexander-Murray stabilization package and the bipartisan *Lower Premiums through Reinsurance Act (S. 1835)*, but I would welcome the opportunity to debate any serious proposal that would curb these harmful health insurance rate increases that are straining family budgets around kitchen tables across this country.

The changes to the health insurance market are also placing additional strains on families struggling with addiction. New regulations will make it easier for people to buy short term health insurance plans that can exclude key benefits like substance use disorder treatment, and the State of West Virginia simply does not have the resources to cover any additional unmet needs. The

opioid epidemic is costing my state an estimated \$8.8 billion per year, forcing us to dedicate 12% of our GDP to responding to this crisis, the largest share of any state in our union. While I was pleased to help secure dedicated funding in the FY18 omnibus for the hardest hit states, one time funding will not solve the problem. This August work period, I would welcome the opportunity to debate my *LifeBOAT Act (S. 523)* that would establish a 1 cent treatment fee on each milligram of opioid in an opioid pain pill to provide a steady, reliable funding source to expand substance use disorder treatment. I've also been working Attorney General Sessions to ensure he has the authority he needs to go after the bad actors that pumped more than 780 million pain pills into my state between 2007 and 2012, 433 pills for every man, woman and child in West Virginia. My *DEA Enforcement and Authority Act (S. 2493)* merely codifies the changes he requested to current law.

I am optimistic about the additional opportunities we have to tackle the major problems facing the American people with the recently announced August work period, but we must work together to make it a productive use of taxpayer dollars. The American people don't want to watch us spend their money arguing back and forth about issues that excite our base. They want to see us actually do something that makes a difference in their lives and gives them some peace of mind. If we help one person get a job, or secure the pension of one coal miner's widow, or spare one family another \$1,400 hike on their health insurance premiums, or save one life from another tragic overdose by getting them into treatment – then this August work period will be money and time well spent. I stand ready to work with you to accomplish all of these goals.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Manchin III". The signature is fluid and cursive, with a large initial "J" and "M".

Joe Manchin III  
United States Senator