

## STREAM PROTECTION RULE

On December 19, 2016, the Office of Surface Mining Reclamation and Enforcement (OSM) released its final Stream Protection Rule. The rule rewrites over 400 regulations threatening **one-third** of the nation's coal mining workforce. During the rulemaking process, OSM shut out cooperating agencies – the states responsible for enforcing federal mining regulations. They also ignored existing regulatory success at the federal and state level.

### **WHAT IS THE CONGRESSIONAL REVIEW ACT?**

The Congressional Review Act is a powerful Congressional resolution of disapproval to overturn last minute regulations from the previous Administration under an expedited legislative process. Passage of the CRA ensures that no substantially similar rule can be issued in the future.

### **AFFIRMS SAFETY AND SUCCESSFUL RESTORATION EFFORTS**

The Department of the Interior's own reports show virtually all coal mines have no off-site impacts, mines are being operated safely, and that lands are being restored successfully under existing federal and state regulation

### **FACILITATES COOPERATIVE FEDERALISM & REGULATORY CERTAINTY**

The CRA provides certainty to state regulatory bodies tasked with regulating 97% of the coal mines in the U.S. and enforcing federal mining regulations by strengthening the State primacy framework provided in the Surface Mining Control and Reclamation Act

### **SUPPORTS RELIABLE AND AFFORDABLE ENERGY**

The CRA prevents the removal of one half or more of total U.S. coal reserves from being available for extraction associated with the Stream Protection Rule and reduces barriers to responsible coal production

### **ENSURES RULEMAKING TRANSPARENCY**

OSM failed to conduct the 7-year rewrite in a transparent process consistent with their statutory requirement to engage state and local stakeholders and thus ended up with a duplicative, one-size-fits-all rule

### **RESTORES IMPORTANT STREAM OF REVENUE**

Blocking the final Stream Protection Rule restores an important stream of state and federal tax revenue associated with coal extraction across the country benefitting hardworking, American taxpayers