

Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Friday, December 07, 2012 3:22 PM
To: Buchanan, Melissa
Subject: Meant to ask

If mine workers gave you any paper, can you forward to me.

Was their ask to support the Rahall bill or that and something else.

Tom Altmeyer
Arch Coal
O: 202-333-5265
C: 202-321-5805

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Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Monday, March 11, 2013 11:53 AM
To: Buchanan, Melissa
Subject: RE: HR 980--CARE Act

Thanks. I am going to request an appointment to see him. It screws Arch Coal.

Who is handling appointments? Thanks

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Monday, March 11, 2013 11:46 AM
To: Altmeyer, Thomas
Subject: HR 980--CARE Act

Hi Mr. Altmeyer,

I just wanted to give you a heads up that Congressman Whitfield is thinking about cosponsoring HR 980 the CARE Act that was introduced by Congressman Rahall last week.

Thank you,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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Buchanan, Melissa

From: Paul Green <pgreen@MooneyGreen.com>
Sent: Thursday, May 30, 2013 3:17 PM
To: Buchanan, Melissa; Bill Banig
Cc: Hicks, Cory
Subject: RE: Patriot Healthcare Benefits Discussion Draft

Melissa,

I wanted to respond to Leg. Counsel's questions:

1. Use of "beneficiaries" v. "individuals". -- "Beneficiaries" is the term that has been used previously in the Coal Act and SMCRA. We just stuck with that.
2. The "under the Plan" should not be included on page 2, l. 24. There, the "Plan" would refer to the 1993 Plan, although the denial of benefits would come directly from the employer's own individual employer plan.
3. The final phrase "considered eligible to receive benefits under the Plan" should be there for several reasons. First, it eliminates any doubt that the Patriot group is covered by the 1993 Plan. That is particularly important since the Patriot retirees may also continue to be eligible under an inadequately-funded VEBA. In that case, although they would be eligible from both the VEBA and the 1993 Plan, the VEBA would provide what benefits it could, with the rest of the benefits coming from the 1993 Plan. In total, the beneficiaries would receive no more than their promised benefits. Furthermore, it eliminates any ambiguities that the amounts to be transferred to the 1993 Plan would include the cost of benefits for the Patriot group.

Otherwise, I think this draft works (although I am not terribly familiar with the use of "ems").

Let me know if you want to talk about any of this.

Paul

Paul A. Green
Mooney, Green, Saindon, Murphy & Welch, P.C.
1920 L Street, N.W., Suite 400
Washington, DC 20036
202-783-0010
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pgreen@mooneygreen.com
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From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Thursday, May 30, 2013 10:54 AM
To: Paul Green; Bill Banig
Cc: Hicks, Cory
Subject: Patriot Healthcare Benefits Discussion Draft

Hi Paul and Bill,

Attached is the discussion draft as prepared by leg counsel using the edits and suggestions you provided. The attorney I've been working with did have some questions regarding the drafting of the bill, and those are in brackets. Can you please take a look and let me know your thoughts/suggestions.

Thank you,
Melissa

Melissa Buchanan
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Buchanan, Melissa

From: Paul Green <pgreen@MooneyGreen.com>
Sent: Friday, May 31, 2013 6:43 PM
To: Buchanan, Melissa
Cc: Bill Banig
Subject: RE: Patriot Healthcare Benefits Discussion Draft
Attachments: Order with Findings of Fact and Conclusions of Law (1114650).pdf; pdf.pdf

Melissa,

Here they are. Happy reading!

Paul

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Friday, May 31, 2013 4:25 PM
To: Paul Green; Bill Banig
Subject: RE: Patriot Healthcare Benefits Discussion Draft

Hi Paul,

Could you send me a copy of all of the decisions? I need some light reading for the weekend.

Thank you for all of your help.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
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Fax: (202) 225-3547

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From: Paul Green [<mailto:pgreen@MooneyGreen.com>]
Sent: Friday, May 31, 2013 2:30 PM
To: Buchanan, Melissa; Bill Banig
Subject: RE: Patriot Healthcare Benefits Discussion Draft

Melissa,

It isn't quite that cut and dried. What I understood the bill to do was to place the VEBA beneficiaries in the 1993 Plan so that they would be eligible in both the 1993 Plan and the VEBA. The VEBA would provide what benefits it could as the "primary" plan, while the 1993 Plan would be secondary, topping of the benefits to the promised levels. Moreover, the Court was pretty clear that her order would terminate benefits from Patriot, albeit by transferring the beneficiaries to

the VEBA. In her decision letting Peabody off the hook under its agreement to retain liability for a group of Patriot's retirees (the Heritage retirees), she said the following:

[A]s early as June 1, 2013, Article XX of both the Heritage and Eastern Associated Individual Employer Plans will be deleted, and as early as July 1, 2013, a [VEBA] can be established pursuant to the Section 1114 relief, to which Heritage and Eastern Associated's obligation to provide pension and health care benefits will be transferred. Therefore, if Heritage no longer has an obligation to pay the healthcare benefits . . . , Peabody Holding consequently has no obligation to fund a non-existent liability.

Patriot Coal Corp. v. Peabody Holding Co., (Adv. No. 13-4067-659, Br. E.D. MO., May 29, 2013) p. 13. Although the Judge was clearly not trying to do us any favors, I think she clearly describes the Patriot retirees in the VEBA as orphans.

Let me know if you need a copy of the decisions.

Paul

Paul A. Green
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From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Friday, May 31, 2013 1:31 PM
To: Paul Green; Bill Banig
Subject: RE: Patriot Healthcare Benefits Discussion Draft

Good Afternoon,

Upon further review of our discussion draft, it has come to my attention that due to the bankruptcy court's ruling, this bill will no longer work. It is my understanding that the 1993 Plan was created for orphaned miners, and because Patriot did not have to liquidate the affected retirees are not orphans. What would be your thoughts towards transferring some of the unobligated AML funds into the VEBA created by the bankruptcy court to ensure that the benefits paid to retirees through that fund continue to be equal to their current benefits?

Thank you for all of your help,
Melissa

Melissa Buchanan

Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
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Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Paul Green [<mailto:pgreen@MooneyGreen.com>]
Sent: Thursday, May 30, 2013 3:17 PM
To: Buchanan, Melissa; Bill Banig
Cc: Hicks, Cory
Subject: RE: Patriot Healthcare Benefits Discussion Draft

Melissa,

I wanted to respond to Leg. Counsel's questions:

1. Use of "beneficiaries" v. "individuals". -- "Beneficiaries" is the term that has been used previously in the Coal Act and SMCRA. We just stuck with that.
2. The "under the Plan" should not be included on page 2, l. 24. There, the "Plan" would refer to the 1993 Plan, although the denial of benefits would come directly from the employer's own individual employer plan.
3. The final phrase "considered eligible to receive benefits under the Plan" should be there for several reasons. First, it eliminates any doubt that the Patriot group is covered by the 1993 Plan. That is particularly important since the Patriot retirees may also continue to be eligible under an inadequately-funded VEBA. In that case, although they would be eligible from both the VEBA and the 1993 Plan, the VEBA would provide what benefits it could, with the rest of the benefits coming from the 1993 Plan. In total, the beneficiaries would receive no more than their promised benefits. Furthermore, it eliminates any ambiguities that the amounts to be transferred to the 1993 Plan would include the cost of benefits for the Patriot group.

Otherwise, I think this draft works (although I am not terribly familiar with the use of "ems").

Let me know if you want to talk about any of this.

Paul

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From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Thursday, May 30, 2013 10:54 AM
To: Paul Green; Bill Banig
Cc: Hicks, Cory
Subject: Patriot Healthcare Benefits Discussion Draft

Hi Paul and Bill,

Attached is the discussion draft as prepared by leg counsel using the edits and suggestions you provided. The attorney I've been working with did have some questions regarding the drafting of the bill, and those are in brackets. Can you please take a look and let me know your thoughts/suggestions.

Thank you,
Melissa

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Buchanan, Melissa

From: Paul Green <pgreen@MooneyGreen.com>
Sent: Monday, June 17, 2013 9:15 AM
To: Hicks, Cory; Bill Banig
Cc: Adam Banig; Steve Earle; Buchanan, Melissa
Subject: RE: Legislation

Cory,

Let me take a crack at this. Under the 2011 NBCWA, Patriot and the other contributing employers pay \$1.10 per hour worked into the 1993 Plan. This money provides benefits for industry orphans (so-called because their employers are no longer in business) who are not covered by the 2006 legislation. Patriot is one of the three largest contributors to the 1993 Plan.

Under the Court's rejection order, Patriot has been authorized to permanently terminate its contributions to the 1993 Plan as early as June 1. Without Patriot's contribution, the 1993 Plan will not have enough money to continue providing benefits to the more than 3,000 orphans and their dependents for the remaining term of the contract. In short, these 3,000 orphans and their dependents will be directly affected by Patriot's bankruptcy.

The earlier drafts of the legislation fix this problem by moving the eligibility date for federal funding forward. Absent such a fix, even if the Patriot retirees are taken care of, this group of orphans will be directly affected by Patriot's bankruptcy.

Does that help? Let me know if you need any more explanation.

Paul

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-----Original Message-----

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Monday, June 17, 2013 9:05 AM
To: 'Bill Banig'
Cc: Paul Green; Adam Banig; Steve Earle; Buchanan, Melissa

Subject: RE: Legislation

Adding Melissa. Can you explain further?

-----Original Message-----

From: Bill Banig [<mailto:bbanig@umwa.org>]

Sent: Monday, June 17, 2013 9:01 AM

To: Hicks, Cory

Cc: Paul Green; Adam Banig; Steve Earle

Subject: Re: Legislation

The lines deleted are important because we lose Patriot funding for the 93 Fund under the Court's order.

Sent from my iPhone

On Jun 17, 2013, at 6:43 AM, "Hicks, Cory" <Cory.Hicks@mail.house.gov> wrote:

> Thanks for the email, Bill. We plan to eliminate lines 16-21 because we've been told that would add workers that will not be impacted back the bankruptcy. We've got a few meetings this week, so we'll know more after those. On a side note, we've heard that UMWA does not support our bill and since Murray opposes it, we've lost a considerable amount of support on the Hill. Can UMWA send us a letter of support before we introduce the bill?

>

> -----Original Message-----

> From: Bill Banig [<mailto:bbanig@umwa.org>]

> Sent: Monday, June 17, 2013 7:35 AM

> To: Hicks, Cory; Buchanan, Melissa

> Subject: Legislation

>

> We are in St. Louis today for another rally and meeting with our Patriot Local Unions. Any idea when Mr. Whitfield may introduce his legislation? Since it was circulated as a discussion draft, has there been any changes.

>

> Bill B

Buchanan, Melissa

From: Adam Banig <abanig@umwa.org>
Sent: Friday, August 16, 2013 3:20 PM
To: Hicks, Cory; Buchanan, Melissa
Subject: Fwd: Talking points for legislators to use in statements after ratification

Cory and Melisa-

>

> Below are some points I think are important for legislators to use in statement's they may issue after the ratification, assuming it passes.

>

> Phil Smith

> Director of Communications

> United Mine Workers of America

> 703-291-2430 (direct)

> 571-345-8338 (cell)

>

> TALKING POINTS REGARDING PATRIOT SETTLEMENT RATIFICATION

>

> • The settlement will provide a way forward for the active workers to continue in their jobs, provide for their families and be strong economic drivers of their local communities.

>

> • But we are not out of the woods yet, especially with respect to retiree health care.

>

> • The funding for the VEBA is only enough to provide a couple of years of benefits, at best, even after cost-saving measures are put in place.

>

> • The need for legislation to address this problem and make the retirees whole has not gone away - indeed, the need has become even clearer. The clock is now ticking toward the day when the funding will run out.

>

> • The clock will tick faster as the coal markets get worse over the next many months, which industry analysts expect will happen.

>

> • The UMWA will continue to press its legal and public case to make Peabody and Arch live up to their responsibilities.

>

> • Congress must move bipartisan legislation quickly that will address this problem and ensure the government's promise of health care for retired miners is kept.

Buchanan, Melissa

From: Rashid Hallaway <rhallaway@americanpatriotgroup.com>
Sent: Thursday, May 30, 2013 2:50 PM
To: Buchanan, Melissa; Hicks, Cory; Cone, Travis
Subject: Updated figures

Travis/Melissa,

Below are updated figures on the potential impact to Kentucky. I want to make sure you have the number of Coal Act retirees covered by Patriot. There will be no impact to this population as we are legally obligated to pay these benefits.

RH

For Kentucky a total of 2,477 retired miners and their dependents may be impacted by this decision. The Peabody Assumed population is 1,256 (691 retirees and 565 dependents). The population paid for by Patriot is 1,221 (659 retirees and 562 dependents). These are as of April 30, 2013.

In Kentucky there are also a total of 1,637 Coal Act retirees and dependents that the ruling will have no effect as their healthcare obligations will be honored by Patriot and Peabody. The breakdown of the Coal Act is Patriot 314 (208 retirees and 106 dependents) with Peabody Assumed 1,323 (907 retirees and 416 dependents).

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

Buchanan, Melissa

From: Rashid Hallaway <rhalloway@americanpatriotgroup.com>
Sent: Friday, July 12, 2013 3:31 PM
To: Buchanan, Melissa
Subject: Re: <no subject>

Thanks, Melissa. I missed your note for some reason but just discovered it. Yes, this makes perfect sense. Thank you.

RH

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

From: <Buchanan>, Melissa <Melissa.Buchanan@mail.house.gov>
Date: Thursday, July 11, 2013 9:46 AM
To: Rashid Hallaway <rhalloway@americanpatriotgroup.com>
Subject: RE: <no subject>

Hi Rashid,

I just tried giving you a call. The biggest difference is we added language at the end of bill which would prevent any of the retirees from receiving duplicative benefits from both the VEBA and the 1993 Plan. This language will ensure that the benefits these retirees receive will be a supplement to any benefits they receive from the VEBA, so they can continue to collect the full benefits they were promised. Does that make sense?

Melissa Buchanan
Legislative Assistant
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From: Rashid Hallaway [<mailto:rhallaway@americanpatriotgroup.com>]
Sent: Thursday, July 11, 2013 9:39 AM
To: Buchanan, Melissa
Subject: Re: <no subject>

Do you have a summary document? How does this version differ from the discussion draft?

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

From: <Buchanan>, Melissa <Melissa.Buchanan@mail.house.gov>
Date: Thursday, July 11, 2013 9:37 AM
To: Rashid Hallaway <rhallaway@americanpatriotgroup.com>
Subject: RE: <no subject>

Hi Rashid,

Attached is a copy of the bill. Please let me know if you need anything else.

Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
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From: Rashid Hallaway [<mailto:rhallaway@americanpatriotgroup.com>]
Sent: Thursday, July 11, 2013 8:01 AM
To: Buchanan, Melissa
Subject: Re: <no subject>

Thank you. I didn't see it on thomas.

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

From: <Buchanan>, Melissa <Melissa.Buchanan@mail.house.gov>
Date: Thursday, July 11, 2013 7:56 AM
To: Rashid Hallaway <rhallaway@americanpatriotgroup.com>
Subject: Re: <no subject>

Hi Rashid,

It is very similar. I will send you a copy as soon as I get in the office.

Melissa

Sent using BlackBerry

From: Rashid Hallaway [<mailto:rhallaway@americanpatriotgroup.com>]
Sent: Thursday, July 11, 2013 07:49 AM
To: Buchanan, Melissa
Subject: <no subject>

Hey Melissa,

Is your health care bill the same as the discussion draft? I haven't seen anything else on it. Hope you are well.

RH

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

Buchanan, Melissa

From: Rashid Hallaway <rhallaway@americanpatriotgroup.com>
Sent: Wednesday, December 18, 2013 11:27 AM
To: Buchanan, Melissa; Hicks, Cory
Subject: Confidential - Emergence.pdf
Attachments: PR - Emergence.pdf; ATT00001.c

Hey Cory and Melissa,

Attached is an advance copy of our press release regarding Patriot's emergence from Chapter 11 which will be issued later today. Please do not share this with anyone outside of the Congressman's office. I will be sure to let you know when our release is formally sent out. Just wanted you guys to have a heads up.

I am presently on a flight but have access to email if you have any questions or concerns. Thanks for your help and support.

Rashid

NEWS RELEASE



FOR IMMEDIATE RELEASE

PATRIOT COAL EMERGES AS WELL-CAPITALIZED PRIVATE COMPANY WITH COMPETITIVE COST STRUCTURE

ST. LOUIS, December 18, 2013 – Patriot Coal Corporation (OTC: PCXCQ) today announced its emergence from Chapter 11 as a reorganized company. The Company exits the 18-month restructuring process with a strong balance sheet, competitive cost structure, and a streamlined operating profile focused on market opportunities that create value.

“Today marks an exciting new beginning for our company and for our employees,” said Patriot President and Chief Executive Officer Bennett K. Hatfield. “We have accomplished the objectives of our reorganization and emerged in a much stronger position to compete in the global energy and steel markets. Importantly, we have also preserved nearly 4,000 jobs, signed new five-year labor agreements with the UMWA, and secured significant funding for retiree healthcare.”

Patriot emerges from Chapter 11 reorganization with:

- **Strong balance sheet.** The Company has lower debt levels and higher available liquidity, with dramatically reduced legacy liabilities related to retiree healthcare and other post-employment benefits.
- **Competitive cost structure.** Patriot has significantly reduced its operating costs, achieving more than \$200 million in estimated annual cash savings.
- **Industry-leading assets and reserves.** The Company has 1.8 billion tons of coal reserves, state-of-the-art mine complexes in three U.S. coal basins, and broad transportation optionality.
- **Solid customer base.** Patriot has long-standing relationships with prominent U.S. and international utility customers, steel producers, and energy trading companies.

“Having streamlined our operations through the reorganization process, Patriot is poised to respond quickly to changes in the markets. Utilizing our existing mine complexes and the Company’s large coal reserve base, we can add incremental production at competitive costs with modest capital requirements,” continued Hatfield. “In short, with the support of our dedicated employees and new investors, I believe Patriot Coal has a bright future.”

Emergence Details

Patriot completed the final steps in its Chapter 11 restructuring on December 18 by successfully closing \$545 million in exit financing and completing its rights offerings, receiving \$250 million of junior capital from Knighthead Capital Management, LLC, Davidson Kempner Capital Management LLC, and other participating unsecured creditors.

The Company has filed notice of the effectiveness of the Plan of Reorganization with the U.S. Bankruptcy Court for the Eastern District of Missouri. Upon the effectiveness of the Plan, all previously issued and outstanding shares of Patriot common stock were cancelled, as were all other previously issued and outstanding equity interests and bonds. Patriot issued shares of a new class of common stock to unsecured creditors as provided in the Plan. Additionally, the Company issued notes and warrants pursuant to the rights offerings. Patriot expects to make initial distributions to unsecured claim holders in the first quarter of 2014.

As a result of the effectiveness of the Plan, Patriot is a private company and is no longer subject to the reporting requirements of the U.S. Securities and Exchange Commission. However, Patriot plans to release financial results and other pertinent information on at least a quarterly basis.

About Patriot Coal

Patriot Coal Corporation is a producer and marketer of coal in the eastern United States, with 10 active mining complexes in Appalachia and the Illinois Basin. Patriot ships to domestic and international electricity generators, industrial users and metallurgical coal customers, and controls approximately 1.8 billion tons of proven and probable coal reserves.

Forward-Looking Statements

Certain statements in this press release are forward-looking. These statements involve certain risks and uncertainties that may be beyond the Company’s control and may cause actual future results to differ materially from current expectations. Factors that could affect the Company’s results include, but are not limited to factors detailed from time to time in the Company’s reports and other information posted on its website or included in a press release. The Company undertakes no obligation to update or revise forward-looking statements to reflect events or circumstances that arise after the date of this press release or to reflect the occurrence of unanticipated events.

CONTACT:

Janine Orf

(314) 275-3680

jorf@patriotcoal.com

#

Buchanan, Melissa

From: J. Steven Hart <jshart@wms-jen.com>
Sent: Tuesday, April 23, 2013 6:31 PM
To: Buchanan, Melissa
Subject: FW: Patriot Healthcare Benefits Draft Bill

quick response follows- I will look at this more carefully when I have more time tomorrow

The transfer amount would only cover those enrolled as of the date of enactment – I do not think the Patriot retirees would be enrolled in the Benefit Plan that quickly. If not, you would need to change their section 2(a) to include individuals described as eligible per their changes in subsection (c) of the draft. Eligible is broader than enrolled. For example, you could modify (h)(2)(C) to read: “only those beneficiaries actually enrolled in the Plan as of December 31, 2006, and those who are eligible to enroll in the Plan pursuant to the amendments made by the ____ Act of 2013, who are eligible to” The language still has a timing problem since the first transfer would take place in 2014 since the law calculates the year’s transfer based on eligible participants on January 1 of the year the transfer is made.

The adjustment of benefits language seems to suggest an across the board reduction if needed, not reducing benefits to the youngest first as the objective is described. Perhaps you want to say “adjust benefits based on age and in consideration of the hardship that may be imposed on older beneficiaries to ensure the Plan’s solvency” or some other language to suggest adjustments could be greater on younger participants. The UMWA will always hate any “adjustment of benefits” mandate ; though, realistically you are heading the right way

And thank you for using AML for retiree health. I am an old pension guy . A dedicated general tax/ revenue stream into any multiemployer plan causes me to feel sick. The precedent is too unsettling. How about a jet fuel tax for airline retirees?

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Tuesday, April 23, 2013 04:41 PM
To: J. Steven Hart
Subject: Patriot Healthcare Benefits Draft Bill

Good Afternoon Mr. Hart,

Cory Hicks passed along your contact information to me. I was hoping you might be able to answer a few questions I have regarding a bill I am working on for Congressman Whitfield. There are about 1,500 miners in our District who could potentially lose their healthcare benefits pending the outcome of the Patriot bankruptcy. I have attached the draft version of the bill.

In the current law, there is some question over the use of “eligible” and “enrolled” and how those terms operate within the law. We want to make sure the correct language is used in the proposed bill, so that these miners will be able to receive healthcare benefits under the 1993 Multiemployer Health Benefit Plan. The proposed bill uses eligible on page 3 line 10. I have also attached a copy of Surface Mining and Reclamation Act that defines the 1993 Plan.

My other question is with the last sentence of the proposed bill, "The trustees of the Plan may adjust benefits to ensure the Plan's solvency." The goal is to ensure that current Patriot employees who are at or close to retirement age are covered, but that a 24-year-old who has many more years to work isn't just automatically able to take advantage of this.

Any insight and advice would be very much appreciated.

Thank you,
Melissa

Melissa Buchanan
Legislative Assistant
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Fax: (202) 225-3547

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Buchanan, Melissa

From: J. Steven Hart <jshart@wms-jen.com>
Sent: Thursday, June 13, 2013 1:47 PM
To: Buchanan, Melissa
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

It will probably be tomorrow

From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Thursday, June 13, 2013 1:17 PM
To: J. Steven Hart
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

Hi Steve,

Cory spoke with Maryam this morning about this idea and she understands the situation that my boss is in. What we now need to do is get something drafted and see if we can get any support from other offices. However, you are the only person who understands how this works, and I would really appreciate your help in drafting.

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: J. Steven Hart [mailto:jshart@wms-jen.com]
Sent: Thursday, June 13, 2013 11:07 AM
To: Buchanan, Melissa
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

As you know, \$210 million was transferred in 1992 from the pension fund to the health fund. This could be transferred back justifiably as an "error". The pension fund has also lost the earnings on this \$210 million for almost 20 years. That earnings number is big and an unknown, perhaps hard to calculate and defend

I raised this option with the Boehner staff yesterday, Maryam and Dave Stewart who handles pension issues. I know you know Maryam Brown well so may I suggest you try to get a reaction from her? This is dangerous ground policy wise

and I am not comfortable guiding you to this conclusion without some cover from the leadership. I do not think David Stewart is anywhere close to approving this but Maryam could maybe grant you a reprieve to move ahead on your own

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Thursday, June 13, 2013 10:54 AM
To: J. Steven Hart
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

Hi Steve and David,

Given yesterday's announcement from UMWA and Patriot we are getting more pressure to do something. I want to propose this idea of transferring the money back from the Combined Benefit Fund back to the pension fund and supplementing the Combined Benefit Fund with AML interest to my boss. Would you all be able to put something together on this?

Thank you for your help,
Melissa

Melissa Buchanan
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From: J. Steven Hart [<mailto:jshart@wms-jen.com>]
Sent: Tuesday, June 11, 2013 4:26 PM
To: Buchanan, Melissa
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

The transfer was done in 1992 when the pension fund was over funded. So we could just transfer it back.

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Tuesday, June 11, 2013 3:26 PM
To: J. Steven Hart
Subject: UMWA/Patriot question

Hi Steve,

During one of our meetings in discussing the UMWA/Patriot situation, you mentioned that in 2006 (?) Congress redirected some money from the UMWA Pension fund to the 1993 Health Benefits Fund. I think you also mention that transferring this money back to the pension fund could help with the shortfalls there. Am I correct in remembering this? Could you explain how this would work and if it would be a viable option to help the UMWA Pension fund problem?

Thank you for all your help on this issue.

Melissa

Melissa Buchanan

Legislative Assistant

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2184 Rayburn House Office Building

Washington, DC 20515

Phone: (202) 225-3115

Fax: (202) 225-3547

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Buchanan, Melissa

From: J. Steven Hart <jshart@wms-jen.com>
Sent: Friday, June 14, 2013 12:08 PM
To: Buchanan, Melissa
Subject: RE: pension question

The UMWA pension plan must file reports annually with the Dept of Labor. These reports will detail the underfunding problem. It would be reasonable for Rep Whitfield to request this info from the UMWA. It would nice if they actually gave you a summary since you are trying to be helpful

I suggest this because \$70 million a year budget cost is going to raise objections from conservatives even though we can argue we are just giving them their pension dollars back. Still to protect yourself, we need to know that the \$70 million stops the bleeding and will allow more time for the parties to work out a permanent funding solution

Feel free to ignore this suggestion. I am just pondering out loud trying to predict where the opposition will come from

From: David A. Starr
Sent: Friday, June 14, 2013 10:02 AM
To: Melissa.Buchanan@mail.house.gov
Cc: J. Steven Hart
Subject: pension question

Melissa:

Attached is the draft you requested with an explanation at the bottom. While Steve and I are happy to offer you this technical assistance, our client has not taken a position on this particular issue one way or another and I have not shared this with them. I hope this is helpful. There was a hearing before the House Education Committee on multiemployer pension plans this week which I could not attend, but I understand that the UMWA pension plan was raised. I am waiting for a report on the hearing from one of our paralegals to see what was discussed. Let me know if you have any questions.

David Starr
Williams & Jensen PLLC
701 8th Street NW Suite 500
Washington DC 20001
(w) 202-973-5995
Cell: 703-864-8201
dastarr@wms-jen.com

Hicks, Cory

From: Buchanan, Melissa
Sent: Tuesday, July 02, 2013 2:29 PM
To: Hicks, Cory
Subject: FW: Patriot Coal Provides Update on Discussions with UMWA

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

Follow Rep. Whitfield on the web:



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From: Rashid Hallaway [mailto:rhallaway@americanpatriotgroup.com]
Sent: Tuesday, July 02, 2013 2:14 PM
Subject: Patriot Coal Provides Update on Discussions with UMWA

ST. LOUIS, July 2, 2013 /PRNewswire/ -- Patriot Coal Corporation (OTC: PCXCQ) today issued the following statement regarding its ongoing discussions with the United Mine Workers of America (UMWA): "Patriot Coal Corporation announced that recent talks with the UMWA have resulted in substantial progress toward a consensual resolution. On July 1, 2013, Patriot exercised the authority granted to it by the Bankruptcy Court to implement changes to wages, benefits and active employee healthcare, but chose to implement terms that are significantly improved from those approved by the court. Patriot and the UMWA are continuing to meet in a diligent effort to resolve the outstanding differences and reach a consensual agreement.

"In addition, Patriot and the UMWA have reached an agreement through which retiree healthcare will continue to be provided at current benefit levels through July and August.

"Negotiations are expected to continue over the coming weeks. The parties are targeting completion of a final resolution to be presented to UMWA members by the end of July."

Note: Background of Patriot's restructuring and transformation can be found at the Company's website, www.patriotcoal.com.

About Patriot Coal

Patriot Coal Corporation is a producer and marketer of coal in the eastern United States, with 11 active mining complexes in Appalachia and the Illinois Basin. Patriot ships to domestic and international electricity generators, industrial users and metallurgical coal customers, and controls approximately 1.8 billion tons of proven and probable coal reserves.

Forward-Looking Statements

Certain statements in this press release are forward-looking as defined in the Private Securities Litigation Reform Act of 1995. These statements involve certain risks and uncertainties that may be beyond our control and may cause our actual future results to differ materially from our current expectations both in connection with the Chapter 11 filings Patriot announced on July 9, 2012 and our business and financial prospects. No assurance can be made that these events will come to fruition. We undertake no obligation (and expressly disclaim any such obligation) to publicly update or revise any forward-looking statement, whether as a result of new information, future events or otherwise. Factors that could affect our results include, but are not limited to: (i) the ability of Patriot and its subsidiaries to continue as a going concern, (ii) the ability of Patriot and its subsidiaries to operate within the restrictions and liquidity limitations of the post-petition credit facilities authorized by the Bankruptcy Court, (iii) the ability of Patriot and its subsidiaries to obtain Bankruptcy Court approval with respect to motions in the Chapter 11 cases, (iv) the ability of Patriot and its subsidiaries to successfully complete a reorganization under Chapter 11 and emerge from bankruptcy, which is dependent upon, among other things, the ability to implement changes to wage and benefit programs and postretirement benefit obligations consensually or pursuant to Sections 1113 and 1114 of the Bankruptcy Code, to minimize liabilities upon emergence and to obtain post-bankruptcy financing, (v) the effects of the bankruptcy filing on Patriot and its subsidiaries and the interests of various creditors, equity holders and other constituents, (vi) Bankruptcy Court rulings in the Chapter 11 cases and the outcome of the cases in general, (vii) the length of time Patriot and its subsidiaries will operate under the Chapter 11 cases, (viii) risks associated with third-party motions in the Chapter 11 cases, which may interfere with the ability of Patriot and its subsidiaries to develop one or more plans of reorganization and consummate such plans once they are developed, (ix) the potential adverse effects of the Chapter 11 proceedings on Patriot's liquidity or results of operations, (x) the ability to execute Patriot's business and restructuring plans, (xi) increased legal costs related to Patriot's bankruptcy filing and other litigation, and (xii) the ability of Patriot and its subsidiaries to maintain contracts that are critical to their operation, including to obtain and maintain normal terms with their vendors, customers, landlords and service providers and to retain key executives, managers and employees. In the event that the risks disclosed in Patriot's public filings and those discussed above cause results to differ materially from those expressed in Patriot's forward-looking statements, Patriot's business, financial condition, results of operations or liquidity, and the interests of creditors, equity holders and other constituents, could be materially adversely affected. For additional information concerning factors that could cause actual results to materially differ from those projected herein, please refer to Patriot's Form 10-K and Form 10-Q reports.

MEDIA CONTACT:	INVESTOR CONTACT:
Michael Freitag/Aaron Palash	Janine Orf
Joele Frank, Wilkinson Brimmer Katcher	(314) 275-3680
(212) 355-4449	jorf@patriotcoal.com

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

Hicks, Cory

From: Rashid Hallaway <rhalloway@americanpatriotgroup.com>
Sent: Wednesday, June 12, 2013 1:09 PM
Subject: <no subject>

FYI – this was just issued by the UMWA. I am presently on a plane but will be free after 4pm ET. I am trying to get additional information.

FOR IMMEDIATE RELEASE
JUNE 12, 2013

Patriot breaks off negotiations with UMWA; union schedules meetings with local unions in preparation for vote

CONTACT: Phil Smith
703-291-2430

[TRIANGLE, VA] Negotiators from Patriot Coal walked out of talks with the United Mine Workers of America (UMWA) yesterday, threatening health care for thousands of retirees. The company also cancelled negotiations that were scheduled for the remainder of this week and into next week.

“We are very disappointed by this action,” UMWA President Cecil E. Roberts said. “We had made significant progress toward reaching an agreement that provided a workable alternative to the severe terms Patriot asked for last spring and that were approved by the bankruptcy court in St. Louis. The union had agreed to more than \$400 million in savings for the company over the life of the current contract, which gives them the money they say they need to survive. But that still wasn’t enough for them.

“When the company walked out, we were only about \$30 to 35 million apart, which given the scope of this problem really isn’t all that much,” Roberts said. “A big chunk of that money is in bonuses the company wants to pay management personnel into the future.

“I can only conclude at this point that there is no end to the depths of sacrifices our members and retirees are expected to make, even while hundreds of managers and executives are thinking about how they will spend the bonus money they’ll be getting in their bank accounts,” Roberts said, referring to a recent decision by the bankruptcy court to allow the company to pay millions in bonuses to already highly compensated personnel.

“The company now says it will implement the terms and conditions approved by the judge, effective July 1,” Roberts said. “I have consistently made it clear to management that I could not recommend to our membership that they work under those terms, because the sacrifices they require from our active and retired members are too great.”

Under the ruling made by Judge Kathy Surratt-States, Patriot is allowed to cut off the current system that provides health care for some 23,000 retirees, their dependents and surviving spouses and replace it with a Voluntary Employee Benefit Association (VEBA) that only has guaranteed funding of just \$15 million, along with a royalty payment of 20 cents per ton of coal produced. The company would transfer a 35 percent ownership stake to the UMWA, which could be sold to raise money for the VEBA, but only after a value for the company is established. There is no way of knowing what the level of that funding would be.

The ruling also allows Patriot to deny retiree health care benefits entirely to some 40 percent of currently active workers who have already worked enough years to earn those benefits. In addition, Patriot can substantially reduce the pay, benefits, paid time off and other terms and conditions of the active workforce.

At the same time that Patriot is threatening to implement these cuts, the company plans to pay \$25 million more in management bonuses in each of the next three years.

“We have repeatedly said that we are willing to make the sacrifices needed to keep this company operating,” Roberts said. “We are working to preserve these jobs and preserve retiree health care. We also believe that those sacrifices should be shared by all, and that once the company gets through the short-term cash problem it has and begins to make money again in a few years, our sacrifices should be recognized.

“If we’re going to share the pain, we should share the gain,” Roberts said. “That’s only reasonable. But Patriot refuses to make that commitment to the people who actually mine the coal.

“We are going to explain all this, including the terms and conditions the judge approved and Patriot plans to implement, directly to our members,” Roberts said. “This is a democratic union, and our members will have their say about whether they want to work under it or not.” Roberts added that the vote would likely be held sometime during the week prior to July 1.

Under the UMWA Constitution, all active members working at Patriot operations, including those who are laid off or on sick or disability leave, have the right to vote on the terms and conditions of employment.

Roberts also pledged to continue the union’s efforts to get Peabody Energy and Arch Coal, the true architects of the Patriot bankruptcy, to live up to their obligations to the retirees to whom Peabody and Arch promised health care benefits.

We find ourselves in this position today because Peabody and Arch made promises that they didn’t keep,” Roberts said. “We are not letting them off the hook. We are airing a new round of television spots that feature the voices of the victims of their scheme. Thousands of us will be back in front of Peabody’s offices next week, and more events are planned in St. Louis and throughout the coalfields in the coming months.”

“No matter what the events of the next few weeks may bring, this struggle is a long, long way from being over,” Roberts said.

Rashid G. Hallaway
Vice President
American Patriot Holdings, LLC
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

Hicks, Cory

From: Hicks, Cory
Sent: Monday, August 12, 2013 11:34 AM
To: Pape, Michael
Subject: Fw: Tentative Patriot Coal Settelement

----- Original Message -----

From: Bill Banig [<mailto:bbanig@umwa.org>]
Sent: Monday, August 12, 2013 11:13 AM
To: Toth, Cory; Tomlinson, Adam; Zoia, Jim; Adler, Ann; Buckley, Teresa; Orth, Patrick; corry.marsall@mail.house.gov <corry.marsall@mail.house.gov>; Hicks, Cory; MacDonald, Charlene; kellie.avesina@mail.house.gov <kellie.avesina@mail.house.gov>; betsy.hawhings@mail.house.gov <betsy.hawhings@mail.house.gov>; Piggee, Darryl; Daulby, Jen; Lucas, David; Lyles III, Willie; Miceli, John; Aiken, Tim; Erfe, Vince; Walls, Jesse
Subject: Tentative Patriot Coal Settelement

On behalf of the UMWA I want to thank you for your boss co sponsoring H.R. 2918 introduced by Representative David McKinley. I want to let you know the UMWA has reached a tentative settlement agreement with Patriot Coal that will keep Patriot Coal in business and protect our members jobs. The tentative settlement agreement will be explained to our Patriot members this Wednesday and our members working at Patriot operations will vote on the tentative settlement agreement on Friday in accordance to the UMWA Constitution.

Although we have reached a tentative settlement agreement, this does not relieve us of the need to pass H.R. 2918. H.R. 2918 is still needed to protect retiree health care and pensions.

If you have any questions, please contact me at 202-302-0613. Again thanks for your help.

Bill Banig
Director of Gov't Affairs
United Mine Workers of America

Hicks, Cory

From: Buchanan, Melissa
Sent: Thursday, August 01, 2013 6:16 PM
To: 'bbanig@umwa.org'; Hicks, Cory
Subject: Re: Press Release for Rep. McKinley's healthcare/pensions bill

Thanks, Bill. Have a great evening.

Sent using BlackBerry

From: Bill Banig [mailto:bbanig@umwa.org]
Sent: Thursday, August 01, 2013 06:12 PM
To: Buchanan, Melissa
Cc: Phil Smith <psmith@umwa.org>
Subject: Re: Press Release for Rep. McKinley's healthcare/pensions bill

I'll let our press person know. Thanks

----- Original Message -----

From: Buchanan, Melissa
To: 'Bill Banig'
Cc: Toth, Cory
Sent: Thursday, August 01, 2013 6:06 PM
Subject: Press Release for Rep. McKinley's healthcare/pensions bill

Hi Bill,

I just saw a copy of UMWA's press release regarding Congressman McKinley's Healthcare and Pensions bill. We do appreciate that you mention my boss's efforts regarding his healthcare bill, but the press release fails to recognize him as a cosponsor of the bill. Congressman Whitfield did agree to be an original cosponsor this morning and should be on the bill.

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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Hicks, Cory

From: Pape, Michael
Sent: Wednesday, July 31, 2013 10:13 PM
To: Hicks, Cory
Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

I appreciate that.

Sent from my BlackBerry Wireless Handheld

From: Hicks, Cory
Sent: Wednesday, July 31, 2013 10:07 PM
To: Pape, Michael; Buchanan, Melissa
Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

Yes. We're letting them know first thing tomorrow. We just wanted to check all the boxes before we pulled the trigger. Thanks.

From: Pape, Michael
Sent: Wednesday, July 31, 2013 10:03 PM
To: Hicks, Cory; Buchanan, Melissa
Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

Has EW agreed to be an original cosponsor??

Sent from my BlackBerry Wireless Handheld

From: Hicks, Cory
Sent: Wednesday, July 31, 2013 09:57 PM
To: Pape, Michael; Buchanan, Melissa
Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

Yes and this wouldn't have happen if it wasn't for Melissa's efforts.

From: Pape, Michael
Sent: Wednesday, July 31, 2013 09:54 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

Our bill stays out there though regardless, correct?

Sent from my BlackBerry Wireless Handheld

From: Buchanan, Melissa
Sent: Wednesday, July 31, 2013 09:52 PM
To: Pape, Michael; Hicks, Cory

Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

Thanks, Mike!

Sent using BlackBerry

From: Pape, Michael
Sent: Wednesday, July 31, 2013 09:23 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: Re: McKinley UMWA/Patriot Healthcare and Pensions Bill

He should be an original co-sponsor.

Sent from my BlackBerry Wireless Handheld

From: Hicks, Cory
Sent: Wednesday, July 31, 2013 09:10 PM
To: Pape, Michael
Cc: Buchanan, Melissa
Subject: Fw: McKinley UMWA/Patriot Healthcare and Pensions Bill

Mike, did you see this email? Need your response tonight. Thanks.

From: Buchanan, Melissa
Sent: Wednesday, July 31, 2013 05:59 PM
To: Pape, Michael
Cc: Hicks, Cory
Subject: McKinley UMWA/Patriot Healthcare and Pensions Bill

Hi Mike,

Attached is the bill Rep. McKinley is introducing tomorrow. They have asked us to be an original cosponsor. The healthcare portion is similar to ours. It puts the retirees into the 1993 Plan. It also transfers the assets from the Patriot established VEBA into the 1993 plan. The goal is to avoid any duplication of benefits and to lower the cost of the bill.

The \$490million in unobligated AML interest would be used towards both healthcare and pensions. Any of the money needed to pay healthcare benefits would be used first, then whatever is leftover would go towards the pensions. The idea being that as the VEBA assets grow less money would be needed on a yearly basis for healthcare, so more would be available for pensions.

This bill is supported by Bob Murray and UMWA, and we think it actually has a better chance of getting passed. Please let me know what you think and if EW should be an original cosponsor.

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building

Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

Follow Rep. Whitfield on the web:



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Hicks, Cory

From: Hicks, Cory
Sent: Tuesday, July 02, 2013 12:54 PM
To: Buchanan, Melissa; Bill Banig
Subject: RE: Caring for Coal Miners Act

Thanks, Melissa.

Bill, just to reiterate, Congressman Whitfield explicitly asked me to get a letter of support from UMWA. Is that something you can provide?

From: Buchanan, Melissa
Sent: Tuesday, July 02, 2013 12:51 PM
To: Bill Banig
Cc: Hicks, Cory
Subject: Caring for Coal Miners Act

Good Afternoon Bill,

Attached is the final draft of Congressman Whitfield's bill that will protect the healthcare benefits for UMWA retirees who may be in jeopardy of losing those benefits due to the bankruptcy of Patriot Coal. Congressman Whitfield is planning to introduce the bill next week, and we would certainly appreciate UMWA sending us a letter of support.

Thank you,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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Hicks, Cory

From: Buchanan, Melissa
Sent: Thursday, June 13, 2013 12:34 PM
To: Hicks, Cory
Subject: RE: UMWA/Patriot question

thanks

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
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From: Hicks, Cory
Sent: Thursday, June 13, 2013 12:33 PM
To: Buchanan, Melissa
Subject: RE: UMWA/Patriot question

I called Maryam. Waiting to hear back.

From: Buchanan, Melissa
Sent: Thursday, June 13, 2013 11:10 AM
To: Hicks, Cory
Subject: FW: UMWA/Patriot question

See below. Now what do we do?

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: J. Steven Hart [mailto:jshart@wms-jen.com]
Sent: Thursday, June 13, 2013 11:07 AM
To: Buchanan, Melissa
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

As you know, \$210 million was transferred in 1992 from the pension fund to the health fund. This could be transferred back justifiably as an "error". The pension fund has also lost the earnings on this \$210 million for almost 20 years. That earnings number is big and an unknown, perhaps hard to calculate and defend

I raised this option with the Boehner staff yesterday, Maryam and Dave Stewart who handles pension issues. I know you know Maryam Brown well so may I suggest you try to get a reaction from her? This is dangerous ground policy wise and I am not comfortable guiding you to this conclusion without some cover from the leadership. I do not think David Stewart is anywhere close to approving this but Maryam could maybe grant you a reprieve to move ahead on your own

From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Thursday, June 13, 2013 10:54 AM
To: J. Steven Hart
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

Hi Steve and David,

Given yesterday's announcement from UMWA and Patriot we are getting more pressure to do something. I want to propose this idea of transferring the money back from the Combined Benefit Fund back to the pension fund and supplementing the Combined Benefit Fund with AML interest to my boss. Would you all be able to put something together on this?

Thank you for your help,
Melissa

Melissa Buchanan
Legislative Assistant
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Washington, DC 20515
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From: J. Steven Hart [mailto:jshart@wms-jen.com]
Sent: Tuesday, June 11, 2013 4:26 PM
To: Buchanan, Melissa
Cc: David A. Starr
Subject: RE: UMWA/Patriot question

The transfer was done in 1992 when the pension fund was over funded. So we could just transfer it back.

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]

Sent: Tuesday, June 11, 2013 3:26 PM

To: J. Steven Hart

Subject: UMWA/Patriot question

Hi Steve,

During one of our meetings in discussing the UMWA/Patriot situation, you mentioned that in 2006 (?) Congress redirected some money from the UMWA Pension fund to the 1993 Health Benefits Fund. I think you also mention that transferring this money back to the pension fund could help with the shortfalls there. Am I correct in remembering this? Could you explain how this would work and if it would be a viable option to help the UMWA Pension fund problem?

Thank you for all your help on this issue.

Melissa

Melissa Buchanan

Legislative Assistant

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Fax: (202) 225-3547

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Buchanan, Melissa

From: Bill Banig <bbanig@umwa.org>
Sent: Friday, November 16, 2012 10:51 AM
To: Buchanan, Melissa
Subject: Re: [Spam] Patriot Coal meeting follow-up

I'll get it set up.

Sent from my iPhone

On Nov 16, 2012, at 10:00 AM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

Good Morning Mr. Banig:

It was very nice to meet you yesterday, and I appreciate the additional information you provided on this issue. I would like to take you up on your offer to meet with someone from your legal team to further discuss the bankruptcy of Patriot Coal.

Thank you, and I look forward to working with you.
Melissa

Melissa Buchanan
Office of Congressman Ed Whitfield (KY-01)
2368 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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<[image001.png](#)> <[image002.png](#)> <[image003.png](#)><[image004.png](#)> <[image005.png](#)>
[Click here](#) to sign up for Rep. Ed Whitfield's e-newsletter.

Buchanan, Melissa

From: Adam Banig <abanig@umwa.org>
Sent: Tuesday, November 20, 2012 10:15 AM
To: Buchanan, Melissa
Subject: Re: Representative Whitfield-Patriot Mtg

Melissa-

2:30 seems to be the consensus among our group for being the best time.

Does 2:30 work for you?

Adam Banig
Umwa Legislative Representative
(C) 571-294-2507
(W) 703-291-2403
(F) 703- 291-2451

On Nov 19, 2012, at 5:24 PM, Adam Banig <abanig@umwa.org> wrote:

Yes. Thanks

Adam Banig
Umwa Legislative Representative
(C) 571-294-2507
(W) 703-291-2403
(F) 703- 291-2451

On Nov 19, 2012, at 5:13 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

Hi Adam:

Yes, a meeting with the lawyers and experts would be very helpful for me to better understand the issues surrounding the Patriot Coal Bankruptcy. Would 2pm or 2:30pm on November 28 work for their schedules?

Thank you:
Melissa

Melissa Buchanan
Office of Congressman Ed Whitfield (KY-01)
2368 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Adam Banig [<mailto:abanig@umwa.org>]
Sent: Monday, November 19, 2012 3:53 PM
To: Grant Crandall; Buchanan, Melissa; Hicks, Cory
Cc: Bill Banig; MICHEAL BUCKNER; Paul Green
Subject: Re: Representative Whitfield-Patriot Mtg

Melisa and Cory-

We have talked to our lawyers and experts that we will bring in to brief you and the congressman more on the Patriot Coal Bankruptcy.

Are you available me next Wednesday, Nov 28th in the afternoon?

Thanks

Adam Banig
Umwa Legislative Representative
(C) 571-294-2507
(W) 703-291-2403
(F) 703- 291-2451

On Nov 19, 2012, at 3:27 PM, Grant Crandall <gcrandall@umwa.org> wrote:

Yes, Wed afternoon would be best if that is possible. Tues we can't do it because of the big strategy meeting CER is having here. The other days of the week are also pretty hard to free up. Just let me know. Grant

Would you be available sometime next week for a meeting on Patriot with Rep. Ed Whitfield (R-KY 1st) office. Whitfield represents the Highland operations in western KY and has expressed a dsire to help. Adam and I met with him last week. After that meeting his staff has requested a follow up meeting. I will be at the COP 18 climate meetings next week.

Bill Banig
Director of Governmental Affairs
United Mine Workers of America
(W) 703-291-2400
(F) 703-291-2451

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--

Grant Crandall, General Counsel

United Mine Workers of America
18354 Quantico Gateway Drive, Suite 200
Triangle, VA 22172
Direct: 703-291-2407/ Main: 703-291-2400/ Fax: 703-
291-2448
gcrandall@umwa.org / www.umwa.org
Assistant: Becky Gillespie/ 202-291-2463 /
bgillespie@umwa.org

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Buchanan, Melissa

From: Bill Banig <bbanig@umwa.org>
Sent: Wednesday, April 17, 2013 9:33 AM
To: Buchanan, Melissa
Cc: Steve Earle; Adam Banig
Subject: UMWA/CARE Act

Melissa,

I am following up on a meeting that a couple of my Local Union Presidents had with Mr. Whitfield last weekend about the CARE Act. Mr. Whitfield requested that we come in to meet again. He indicated that he had additional questions concerning the legislation. Please let me know when a good time would be for us to come in to meet with him.

Bill Banig
Director of Governmental Affairs
United Mine Workers of America
(W) 703-291-2420
(C) 202-302-0613
(F) 703-291-2451

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Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Tuesday, December 04, 2012 10:57 AM
To: Buchanan, Melissa
Cc: Rogier, Rachel
Subject: RE: Patriot Coal questions

Will take a look, at least we can talk. I'm going to ask Rachel to forward a very brief bullet paper that outlines Arch's prior ownership of several of the Patriot mines. Please don't share beyond The Chairman and Cory.'

It may answer your questions

Tom Altmeyer
Arch Coal
O 202 333 5265
M 202 321 5805

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Tuesday, December 04, 2012 10:44 AM
To: Altmeyer, Thomas
Subject: RE: Patriot Coal questions

Hi Mr. Altmeyer:

I just met with Rashid from Patriot. Although I appreciated him meeting with me, I still have some questions regarding what role Arch and Peabody have in this whole bankruptcy situation. Is there a time later this week, maybe Thursday or Friday, that you would be available to meet with me?

Thank you:
Melissa

Melissa Buchanan
Office of Congressman Ed Whitfield (KY-01)
2368 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Thursday, November 29, 2012 2:12 PM
To: Buchanan, Melissa
Cc: rhalloway@americanpatriotgroup.com
Subject: RE: Patriot Coal questions

Melissa. Congratulations. Sat next to Cory last evening at the Coal dinner where Ed was honored and he relayed to me. I had asked the Club to invite you however they said they were told that you were no longer there. Apologies for their lack of further diligence.

I'm trying to get the latest on where things stand and will get back to you. The last court action was a transfer of the case from NYC to St Louis several weeks ago. As you know, Patriot is trying to reorganize in bankruptcy.

Rashid, copied above, who is with Patriot, may have more information

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Thursday, November 29, 2012 11:52 AM
To: Altmeyer, Thomas
Subject: Patriot Coal questions

Hi Mr. Altmeyer:

I have moved to the legislative staff in Congressman Whitfield's office, and I've taken over the labor issues portfolio. I received a call from a constituent earlier this week asking about the Patriot Coal bankruptcy case and what could potentially happen to her survivors benefits. I'm trying to get more information about the situation before I answer her and was wondering if you have time to either meet or chat over the phone.

Thank you, and I hope you had a nice Thanksgiving.
Melissa

Melissa Buchanan
Office of Congressman Ed Whitfield (KY-01)
2368 Rayburn House Office Building
Washington, DC 20515
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Fax: (202) 225-3547

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Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Tuesday, March 12, 2013 12:01 PM
To: Buchanan, Melissa; Hicks, Cory; Rogier, Rachel
Subject: RE: CARE Act/

See you then

Tom Altmeyer
Arch Coal
O 202 333 5265
M 202 321 5805

From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Tuesday, March 12, 2013 11:58 AM
To: Altmeyer, Thomas; Hicks, Cory; Rogier, Rachel
Subject: RE: CARE Act/

I have another meeting at 4pm, so 2:30pm would work best for me.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Altmeyer, Thomas [mailto:TAltmeyer@archcoal.com]
Sent: Tuesday, March 12, 2013 11:51 AM
To: Hicks, Cory; Buchanan, Melissa; Rogier, Rachel
Subject: RE: CARE Act/

Things have gotten a little confused by my email. How about 4:00 PM which would be best for me.

If that doesn't work, we'll stick with 2:30 PM.

Please confirm if 4 PM doable or best to do at 2:30 PM

Tom Altmeyer
Arch Coal
O 202 333 5265
M 202 321 5805

From: Hicks, Cory [mailto:Cory.Hicks@mail.house.gov]
Sent: Tuesday, March 12, 2013 11:36 AM

To: Altmeyer, Thomas; Buchanan, Melissa; Rogier, Rachel
Subject: RE: CARE Act/

3:30 works for me and I think it works for Melissa as well. Thanks for being flexible- just didn't want you to be waiting on me if I get stuck at this lunch longer than an hour.

From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Tuesday, March 12, 2013 11:09 AM
To: Buchanan, Melissa; Rogier, Rachel
Cc: Hicks, Cory
Subject: RE: CARE Act/

Rachel. Please see if Rothfus person can do 2 PM. I need move the Whitfield staff meeting to 2:30 PM.

In the alternative, I could also do 3:30 PM

Tom Altmeyer
Arch Coal
O 202 333 5265
M 202 321 5805

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Tuesday, March 12, 2013 10:59 AM
To: Altmeyer, Thomas; Hicks, Cory
Subject: RE: CARE Act/

To ensure that Cory has time to make it back to the office for this meeting, would it be possible to push back until 2:30pm?

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Monday, March 11, 2013 12:14 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: RE: CARE Act/

See you then

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Monday, March 11, 2013 12:14 PM
To: Altmeyer, Thomas
Cc: Buchanan, Melissa
Subject: RE: CARE Act/

Yes. I have a lunch starting at 1, but should be back by 2 or a little after. Melissa is available at 2 as well.

From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Monday, March 11, 2013 12:10 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: RE: CARE Act/

Could I come by at 2 PM tomorrow to explain why?

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Monday, March 11, 2013 11:57 AM
To: Altmeyer, Thomas
Cc: Buchanan, Melissa
Subject: RE: CARE Act/

We're trying to figure out how it screws Arch. Can you help explain? We're caught in a very difficult spot because we have several miners out of a job with benefits in jeopardy resulting from the Patriot bankruptcy. The Chairman feels the need to do something.

From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Monday, March 11, 2013 11:54 AM
To: Hicks, Cory
Subject: CARE Act/

Heard that Rahall and UMWA are trying to get members on. It screws arch coal.

When could I come in and see the Chairman to explain why.

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Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Thursday, May 30, 2013 4:32 PM
To: Buchanan, Melissa
Cc: David A. Starr; Steven Hart (JSHart@wms-jen.com)
Subject: RE: Patriot Healthcare Benefits Discussion Draft Bill

How about Noon.

David Starr and I would be there/ Steve would be on by phone. Would help if we could do in Cory or Chr Whitfield's office to facilitate our calling Steve.

Steve. What would be the best # to call you.

-----Original Message-----

From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Thursday, May 30, 2013 4:13 PM
To: Altmeyer, Thomas
Cc: Steven Hart (JSHart@wms-jen.com); Hicks, Cory
Subject: RE: Patriot Healthcare Benefits Discussion Draft Bill

Hi Tom,

I would like to go ahead and meet with you tomorrow, if you're still available.

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547
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-----Original Message-----

From: Altmeyer, Thomas [mailto:TAltmeyer@archcoal.com]
Sent: Thursday, May 30, 2013 4:02 PM
To: Buchanan, Melissa
Cc: Steven Hart (JSHart@wms-jen.com); Hicks, Cory
Subject: RE: Patriot Healthcare Benefits Discussion Draft Bill

We will be suggesting changes to the Leg Counsel draft. Should we wait till Monday or meet with you.

-----Original Message-----

From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Thursday, May 30, 2013 2:48 PM
To: Altmeyer, Thomas
Cc: Steven Hart (JS Hart@wms-jen.com); Hicks, Cory
Subject: RE: Patriot Healthcare Benefits Discussion Draft Bill

Cory is back in Kentucky until next Monday.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547
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-----Original Message-----

From: Altmeyer, Thomas [mailto:TAltmeyer@archcoal.com]
Sent: Thursday, May 30, 2013 2:06 PM
To: Buchanan, Melissa
Cc: Steven Hart (JS Hart@wms-jen.com); Hicks, Cory
Subject: Re: Patriot Healthcare Benefits Discussion Draft Bill

Will be back to you later today.

Cory. Are you in tomorrow.

Tom Altmeyer
Arch Coal
O: 202-333-5265
C: 202-321-5805

On May 30, 2013, at 12:22 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

> Hi Tom,
>
> I have a conference call at 2:30pm, but other than that, I am free anytime after 11am.
>
> Thanks for the quick response.
> Melissa
>
> Melissa Buchanan
> Legislative Assistant
> Office of Congressman Ed Whitfield (KY-01)
> 2184 Rayburn House Office Building
> Washington, DC 20515
> Phone: (202) 225-3115

> Fax: (202) 225-3547
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> -----Original Message-----
> From: Altmeyer, Thomas [mailto:TAltmeyer@archcoal.com]
> Sent: Thursday, May 30, 2013 12:21 PM
> To: Buchanan, Melissa
> Cc: Steven Hart (JS Hart@wms-jen.com); Hicks, Cory
> Subject: Re: Patriot Healthcare Benefits Discussion Draft Bill
>
> Melissa. What is a good time for Steve and I to come by tomorrow after 11 am to give you feedback.
>
> Tom Altmeyer
> Arch Coal
> O: 202-333-5265
> C: 202-321-5805
>
> On May 30, 2013, at 11:16 AM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:
>
>> Hi Steve and Tom,
>>
>> Attached is the latest discussion draft as prepared by leg counsel (Patriot_002). The attorney at leg counsel did have some questions regarding drafting of the bill, and those are in brackets.
>>
>> I have also attached the original draft of the bill (Patriot_001) and the edits to it as suggested by UMWA. In the meeting Cory and I had with UMWA last week, we were told that we would not need to transfer the unobligated AML Fund balances to the 1993 as we did in the original draft. According to UMWA, changing the requirement for who can receive benefits from the 1993 will automatically increase the contributions made by the companies who pay into the 1993 plan.
>>
>> Can you please take a look and let me know your thoughts?
>>
>> Thanks,
>> Melissa
>>
>>
>> Melissa Buchanan
>> Legislative Assistant
>> Office of Congressman Ed Whitfield (KY-01)
>> 2184 Rayburn House Office Building
>> Washington, DC 20515
>> Phone: (202) 225-3115
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>> <<http://www.youtube.com/WhitfieldKY01>> [cid:image004.png@01CAC4F7.D17F7D80]
>> <<http://whitfield.house.gov/atom.xml>>

>> Click here<<https://whitfieldforms.house.gov/enews.shtml>> to sign up for Rep. Ed Whitfield's e-newsletter.

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>> <Patriot_002_xml.pdf>

>> <Patriot_001_xml.pdf>

>> <0524 13 UMWA Whitfield draft changes.pdf>

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Buchanan, Melissa

From: Rashid Hallaway <rhallaway@americanpatriotgroup.com>
Sent: Monday, March 18, 2013 11:50 AM
To: Buchanan, Melissa
Cc: Hicks, Cory
Subject: Re: Heads Up

That works for me. Please call 202-380-5118 at your convenience.

Rashid Hallaway
Vice President
514 Magnolia Ave
Charlotte, NC 28203
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

From: <Buchanan>, Melissa <Melissa.Buchanan@mail.house.gov>
Date: Monday, March 18, 2013 11:27 AM
To: Rashid Hallaway <rhallaway@americanpatriotgroup.com>
Cc: "Hicks, Cory" <Cory.Hicks@mail.house.gov>
Subject: Re: Heads Up

Hi Rashid,

Would you have time to do a call with Cory and me at 3pm this afternoon?

Thank you,
Melissa

Sent using BlackBerry

From: Rashid Hallaway [<mailto:rhallaway@americanpatriotgroup.com>]
Sent: Friday, March 15, 2013 04:20 PM
To: Buchanan, Melissa
Cc: Hicks, Cory
Subject: Re: Heads Up

Hey Melissa,

Thanks for your note. I will be in town next Tuesday to Thursday but will be tied up with Steve Chancellor most of the time. I'm really sorry but likely won't be able to swing by the office.

Could we catch up by phone on Monday? I'm wide open Monday afternoon if you have time.

Thanks for reaching out.

RH

Rashid Hallaway
Vice President
514 Magnolia Ave
Charlotte, NC 28203
202.380.5118 (work)
202.486.0521 (cell)
202.315.3180 (fax)

From: <Buchanan>, Melissa <Melissa.Buchanan@mail.house.gov>
Date: Friday, March 15, 2013 9:30 AM
To: Rashid Hallaway <rhalloway@americanpatriotgroup.com>
Cc: "Hicks, Cory" <Cory.Hicks@mail.house.gov>
Subject: RE: Heads Up

Hi Rashid,

Would you be available to meet with Cory and me sometime next week regarding Congressman Rahall's CARE Act (HR 980)?

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Hicks, Cory
Sent: Thursday, March 14, 2013 9:34 PM
To: Buchanan, Melissa
Subject: Fw: Heads Up

From: Rashid Hallaway [mailto:rhallaway@americanpatriotgroup.com]

Sent: Thursday, March 14, 2013 06:58 PM

To: Hicks, Cory

Subject: Heads Up

Patriot Coal Files Motion With The Bankruptcy Court To Modify Collective Bargaining Agreements And Retiree Healthcare Benefits; Company Also Files Lawsuit Against Peabody Energy

ST. LOUIS, March 14, 2013 /PRNewswire/ -- Patriot Coal Corporation (OTC: PCXCQ) today filed a motion with the Bankruptcy Court in St. Louis seeking to modify collective bargaining agreements with the United Mine Workers of America (UMWA). Patriot is filing this motion now to obtain critical financial relief in a timeframe that avoids severe business disruption. The proposed modifications include the establishment of a Voluntary Employee Beneficiary Association (VEBA) trust to provide healthcare for UMWA-represented retirees, as well as changes to wages, benefits and work rules for UMWA-represented employees. This filing follows more than four months of negotiations between representatives of Patriot subsidiaries and the UMWA. The Company is committed to continuing efforts to reach a consensual agreement while this motion is addressed by the court. Also today, Patriot filed an initial lawsuit against Peabody Energy Corporation (Peabody) to ensure that Peabody does not attempt to use Patriot's bankruptcy to escape Peabody's own healthcare obligations to certain retirees.

"The actions we have taken today are necessary for the survival of Patriot and the preservation of more than 4,000 jobs. Without the cost relief we are seeking, all of these jobs will be lost and it will no longer be possible to provide healthcare for more than 23,000 employees, retirees and their dependents. Our labor and retiree benefit costs have risen to levels that simply cannot be sustained given the challenges facing the Company and our industry," stated Patriot President and Chief Executive Officer Bennett K. Hatfield. "All of our employees and retirees are being asked to make sacrifices to help Patriot emerge from bankruptcy. These sacrifices include reductions in compensation and benefits for salaried, union and nonunion employees."

"The approval of this motion will be the single most important action necessary to ensure Patriot's financial viability and successful reorganization," continued Hatfield. "It is critical that we quickly achieve these savings within the timeframe provided by our debtor-in-possession financing."

Patriot's UMWA labor costs are not competitive with other coal producers that operate under more flexible work rules and a significantly lower labor cost structure. The Company's proposal seeks to adjust wages, benefits and work rules for its unionized employees to a level consistent with the regional labor market. The Company can no longer afford to pay above-market wages and benefits to its 1,600 union employees as compared to its 1,300 nonunion miners doing exactly the same jobs. As part of the proposal, Patriot intends to offer its union employees the same healthcare benefits it provides to nonunion employees.

Patriot is also seeking to modify its unsustainable payments for UMWA-related retiree healthcare liabilities, which total approximately \$1.6 billion. The Company's proposal would transition certain of its UMWA-related healthcare obligations to a VEBA trust to provide retirees with meaningful long-term healthcare benefits. Funding for the VEBA would consist of: (i) an allowed unsecured claim that will represent a meaningful ownership stake in the reorganized company and could be monetized for significant value, (ii) profit sharing, up to a maximum of \$300 million and (iii) an initial cash contribution of \$15 million. Patriot would also honor retiree medical obligations incurred prior to July 1, 2013, to allow sufficient time for the VEBA to be established. The VEBA trust would be designed and administered by the UMWA or the UMWA Health and Retirement Funds.

Patriot would continue to provide healthcare for its entire active workforce and their eligible family members, and for more than 2,300 individuals who receive healthcare pursuant to the Coal Industry Retiree Health Benefit Act of 1992 (Coal Act). Patriot spent approximately \$14 million on Coal Act liabilities in 2012.

"We very much regret the necessity of these changes to our employees' and retirees' wages and benefits," concluded Hatfield. "However, these actions are necessary for Patriot to become viable and continue to provide more than 4,000 jobs. We believe the alternative of liquidating Patriot would do far greater damage to the employees and retirees who depend on this company."

Also today, Patriot filed a lawsuit against Peabody seeking a declaration from the Bankruptcy Court that any relief Patriot is able to obtain through its motion would not relieve Peabody of its own obligations to certain retirees. In connection with Patriot's 2007 spinoff, Peabody agreed to pay the healthcare costs for thousands of retirees who were employed by Peabody entities that were transferred to Patriot in the spinoff. Patriot believes that Peabody might argue that Patriot's financial condition and unavoidable actions in the Bankruptcy Court will allow Peabody to stop paying for or cut the healthcare of more than 3,000 individuals.

Together with the official committee of unsecured creditors, Patriot continues to investigate potential claims against Peabody. Patriot has filed this initial lawsuit in conjunction with the timing of the Company's retiree healthcare motion filed today.

Patriot's bankruptcy filing in July 2012 resulted from exceptionally weak coal markets, coupled with increasing costs and unsustainable legacy liabilities. Leading up to the filing, coal markets suffered from declining pricing and demand brought on by slowing global economic growth, inexpensive natural gas and heightened regulation of coal-fueled electricity generation. Since the bankruptcy filing coal markets have deteriorated further.

Note: Background of Patriot's restructuring and transformation can be found at the Company's website, www.patriotcoal.com.

About Patriot Coal

Patriot Coal Corporation is a producer and marketer of coal in the eastern United States, with 11 active mining complexes in Appalachia and the Illinois Basin. Patriot ships to domestic and international electricity generators, industrial users and metallurgical coal customers, and controls approximately 1.8 billion tons of proven and probable coal reserves.

Forward-Looking Statements

Certain statements in this press release are forward-looking as defined in the Private Securities Litigation Reform Act of 1995. These statements involve certain risks and uncertainties that may be beyond our control and may cause our actual future results to differ materially from our current expectations both in connection with the Chapter 11 filings Patriot announced on July 9, 2012 and our business and financial prospects. No assurance can be made that these events will come to fruition. We undertake no obligation (and expressly disclaim any such obligation) to publicly update or revise any forward-looking statement, whether as a result of new information, future events or otherwise. Factors that could affect our results include, but are not limited to: (i) the ability of Patriot and its subsidiaries to continue as a going concern, (ii) the ability of Patriot and its subsidiaries to operate within the restrictions and liquidity limitations of the post-petition credit facilities authorized by the Bankruptcy Court, (iii) the ability of Patriot and its subsidiaries to obtain Bankruptcy Court approval with respect to motions in the Chapter 11 cases, (iv) the ability of Patriot and its subsidiaries to successfully complete a reorganization under Chapter 11 and emerge from bankruptcy, which is dependent upon, among other things, the ability to implement changes to wage and benefit programs and postretirement benefit obligations consensually or pursuant to Sections 1113 and 1114 of the Bankruptcy Code, to minimize liabilities upon emergence and to obtain post-bankruptcy financing, (v) the effects of the bankruptcy filing on Patriot and its subsidiaries and the interests of various creditors, equity holders and other constituents, (vi)

Bankruptcy Court rulings in the Chapter 11 cases and the outcome of the cases in general, (vii) the length of time Patriot and its subsidiaries will operate under the Chapter 11 cases, (viii) risks associated with third-party motions in the Chapter 11 cases, which may interfere with the ability of Patriot and its subsidiaries to develop one or more plans of reorganization and consummate such plans once they are developed, (ix) the potential adverse effects of the Chapter 11 proceedings on Patriot's liquidity or results of operations, (x) the ability to execute Patriot's business and restructuring plans, (xi) increased legal costs related to Patriot's bankruptcy filing and other litigation, and (xii) the ability of Patriot and its subsidiaries to maintain contracts that are critical to their operation, including to obtain and maintain normal terms with their vendors, customers, landlords and service providers and to retain key executives, managers and employees. In the event that the risks disclosed in Patriot's public filings and those discussed above cause results to differ materially from those expressed in Patriot's forward-looking statements, Patriot's business, financial condition, results of operations or liquidity, and the interests of creditors, equity holders and other constituents, could be materially adversely affected. For additional information concerning factors that could cause actual results to materially differ from those projected herein, please refer to Patriot's Form 10-K and Form 10-Q reports.

SOURCE Patriot Coal Corporation

Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Tuesday, April 30, 2013 1:55 PM
To: Hicks, Cory
Cc: Buchanan, Melissa; Steven Hart (JS Hart@wms-jen.com); Heydlauff, Emma
Subject: Re: CARE Act variation - medical benefits.

To meet personally on the CARE Act etc.

Separately, left you a vm. Please call me on NSPS's for various industries.

Tom Altmeyer
Arch Coal
O: 202-333-5265
C: 202-321-5805

On Apr 30, 2013, at 12:04 PM, "Hicks, Cory" <Cory.Hicks@mail.house.gov<<mailto:Cory.Hicks@mail.house.gov>>> wrote:

Thanks, Tom. We heard from Patrick. We'll certainly circle around with all those parties before introducing. We're still waiting on feedback from UMWA.

Cc'ing Emma who can work on a meeting after May the 8th. Can you share a subject?

From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Tuesday, April 30, 2013 11:23 AM
To: Buchanan, Melissa
Cc: Hicks, Cory; Steven Hart (JS Hart@wms-jen.com<<mailto:JS Hart@wms-jen.com>>)
Subject: CARE Act variation - medical benefits.

Steve Hart met with Rep. Bill Johnson last Friday and referenced that you are looking at putting something together to address the Patriot miner health benefits for Patriot people covered by the '93 plan.

His Chief, Mike Smullens and LD, Patrick Orth, were also be in the meeting. Steve also met with Tiberi and staff, Brad Bailey, who chairs the Select Revenue Sub on W&M. Since he chairs the sub of juris, he wouldn't be a likely co-sponsor but Brad should be kept in the loop

Before you introduce anything, I think you should circle back with Adam Tomlinson with Capito with whom we've met and Cory Toth with McKinley. If you agree, please touch base with me before you reach out to them.

Separately, Steve and I would like to come in and personally talk with Chairman Whitfield sometime after the 8th

Tom Altmeyer
Arch Coal
M: 202-321-5805
O: 202-333-5265

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Buchanan, Melissa

From: Bennett, Tate (McConnell) <Tate_Bennett@mcconnell.senate.gov>
Sent: Friday, July 26, 2013 9:11 AM
To: Buchanan, Melissa
Subject: RE: WHITFIELD INTRODUCES BILL TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Is now a bad time?

From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Friday, July 26, 2013 9:09 AM
To: Bennett, Tate (McConnell)
Subject: RE: WHITFIELD INTRODUCES BILL TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Hi Tate,

Sure, give me a call anytime. My direct is 6-0068.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Bennett, Tate (McConnell) [mailto:Tate_Bennett@mcconnell.senate.gov]
Sent: Friday, July 26, 2013 8:41 AM
To: Buchanan, Melissa
Subject: RE: WHITFIELD INTRODUCES BILL TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Hey Melissa,

Your favorite topic- Caring for Coal Miners. Do you have a quick second for us to revisit this via phone?

Tate

Elizabeth Tate Bennett
The Office of U.S. Senator Mitch McConnell
Legislative Assistant
Agriculture, Energy & Environment
(202) 224-2541

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Tuesday, July 09, 2013 9:33 AM
To: Bennett, Tate (McConnell)
Subject: RE: WHITFIELD INTRODUCES BILL TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Yes, the CARE Act (Rockefeller/Rahall bill) puts the retirees into the 1992 Plan. Only the coal companies who were signatories of that plan pay into it. By putting the retirees into the 1992 Plan, they are making Peabody and Arch directly liable for the retiree benefits. We felt their liability in Patriot's collapse should be settled in the courts (there are several pending lawsuits on the issue) not by changing the law retroactively. The CARE Act also transfers all of the unobligated interest from AML Funds to the UMWA pension plan (which along with the teamsters is on the verge of going under). The UMWA pension plan has been in bad shape for awhile. The original version of the CARE Act only dealt with the pension issue. However, my boss sees the pension issues as separate from the healthcare benefits and unrelated to the Patriot Bankruptcy. Although, if Patriot stops paying into the pension fund it could collapse. It's a bad situation all the way around. Because of so many interested parties (mainly Bob Murray), our bill probably won't go anywhere without pension fix language. I've been working on this issue since last year. The most difficult challenge I've had is there isn't anyone around (except Jim Zoia, Rahall's CoS) who worked on this issue the last time around. Everyone who did now works for one of the coal companies or UMWA, and their information is always biased. CRS and Leg Counsel aren't familiar with the issue either. Please let me know if I can help you, and I will try to answer any questions you have.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Bennett, Tate (McConnell) [mailto:Tate_Bennett@mcconnell.senate.gov]
Sent: Tuesday, July 09, 2013 9:22 AM
To: Buchanan, Melissa
Subject: RE: WHITFIELD INTRODUCES BILL TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Gotcha. The Rockefeller bill does touch the pension issue (makes them tax exempt right?) and is not the Senate counterpart, correct? It (Rockefeller bill) incorporates the 1992 Benefit Plan as well.

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Tuesday, July 09, 2013 9:18 AM
To: Bennett, Tate (McConnell)
Subject: RE: WHITFIELD INTRODUCES BILL TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Hi Tate,

I don't have a dear colleague on the bill. A copy of the bill is attached. I will begin by saying that this is the most complicated issue. Basically, it would make those retirees who may lose their health benefits due to Patriot's bankruptcy eligible for UMWA's 1993 Benefit Plan. Per the bankruptcy court's ruling, Patriot is able to transition retirees into a VEBA to pay benefits at a reduced rate. In our bill, benefits paid by the 1993 Plan would only be a supplement to those from the VEBA, so that retirees receive benefits at the rate promised but also prevent retirees from receiving double benefits. Also, we did not touch the UMWA pension issues in our bill. My boss doesn't really want to get into that fight just yet. Please let me know if you have any questions.

Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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Buchanan, Melissa

From: Libell, Mark (Rockefeller) <Mark_Libell@rockefeller.senate.gov>
Sent: Wednesday, May 15, 2013 2:02 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: RE: coal industry retiree issues

Works well, what's your office #?

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Wednesday, May 15, 2013 1:24 PM
To: Libell, Mark (Rockefeller)
Cc: Buchanan, Melissa
Subject: RE: coal industry retiree issues

Monday afternoon works. Should we say 3?

From: Libell, Mark (Rockefeller) [mailto:Mark_Libell@rockefeller.senate.gov]
Sent: Wednesday, May 15, 2013 12:28 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: RE: coal industry retiree issues

Thanks Cory, and completely understand the need for you guys to keep your focus to health only. We think positive action on the health side will only help us with our other effort on the pension issues down the road.

I'm out of the country tomorrow and Friday, so how's your Monday afternoon?

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Wednesday, May 15, 2013 9:27 AM
To: Libell, Mark (Rockefeller)
Cc: Buchanan, Melissa
Subject: RE: coal industry retiree issues

Mark, thanks again for reaching out. I've cc'ing Melissa who has been working on this issue in more detail. We're interested in your views on the topic and seeing what we can work out. Just so you know before making the trip over, we're only interested in working on the health challenges, since that is the most pressing issue that our constituents have as a result of the Patriot bankruptcy. We understand that there are long-term challenges with the pension plan, but my boss is not interested in addressing that issue in conjunction with the Patriot bankruptcy at this time.

Melissa and I are available later this week or early next. Let me know what works for you.

Cory Hicks
Chief of Staff
Chairman Ed Whitfield
202-225-3115

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<http://whitfield.house.gov>

From: Libell, Mark (Rockefeller) [mailto:Mark_Libell@rockefeller.senate.gov]
Sent: Friday, May 10, 2013 10:09 AM
To: Hicks, Cory
Subject: coal industry retiree issues

Cory, we worked together several years ago back in my Bart Gordon days on energy issues. Hope all's well for you.

I'm wondering if you'd have a few minutes in the next couple of weeks for me to bring a couple of my leg folks over to talk to you and your relevant folks about the coal retiree health and pension challenges. We've been told ya'll are taking a look at this given your constituency, and wanted to offer to help you in whatever way possible and talk strategy going forward.

Thanks for any time you guys can spare.

Mark

Mark Libell
Legislative Director
United States Senator John D. Rockefeller IV (WV)
202-224-6472

Buchanan, Melissa

From: Altmeyer, Thomas <TAltmeyer@archcoal.com>
Sent: Tuesday, June 04, 2013 4:17 PM
To: Toth, Cory; Buchanan, Melissa; Tomlinson, Adam; Toth, Cory
Subject: see below.

All,

With respect to whether Congress can insure that the Patriot retirees are eligible for benefits from the 1993 Plan, the answer appears to be yes, as shown by what happened in 2006 (leaving aside the Constitutionality of such action).

In 2006, as part of the efforts to shore up of the 1993 Plan with transfers of federal money, Congress also required all employers who were contributing to the 1993 Plan as of December 20, 2006, to continuing contributing, at the same rate, through December 31, 2010. See 30 USC 1232(h)(5)(B)(ii). Congress also added enforcement provisions for that obligation to Sections 9707(a)(2) and 9721 of the Coal Act.

Accordingly, while it certainly would be unusual, there is precedent by which Congress could require BCOA and the UMWA to treat the Patriot retirees as eligible for the 1993 Plan.

If you have any questions, please contact me.

Buchanan Ingersoll & Rooney, P.C.
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219
Phone: (412) 562-1857
Fax: (412) 562-1041
Mobile: (412) 855-4796
david.laurent@bipc.com

From: Altmeyer, Thomas [<mailto:TAltmeyer@archcoal.com>]
Sent: Tuesday, June 04, 2013 3:32 PM
To: Jones, Bob; Slone, Deck; David A. Starr; Laurent, David
Cc: Kafoury, Mike
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Bob. The Congress can still legislate changes by modifying '06 Act. See second bullet on third page of attached.

Dauids. Would you agree?

From: Jones, Bob
Sent: Tuesday, June 04, 2013 2:52 PM

To: Altmeyer, Thomas; Slone, Deck

Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Since the 1993 Plan is under the NBCWA (not the Coal Act) and the terms and conditions are determined by collective bargaining, how can congress change the eligibility criteria for the 93 Plan?

Robert G. Jones

Senior Vice President – General Counsel, Secretary & Chief Compliance Officer

Arch Coal, Inc.

314-994-2716

bjones@archcoal.com

From: Altmeyer, Thomas

Sent: Tuesday, June 04, 2013 1:37 PM

To: Steven Hart (JSHart@wms-jen.com); David A. Starr

Cc: Slone, Deck; Jones, Bob; Kafoury, Mike; (david.laurent@bjpc.com)

Subject: FW: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

We are in regular contact with Cory and Melissa. I will be with Whitfield tonight as well as McKinley, who at present, hasn't settled on what he will do. Capito is looking to do something on the health benefits and hasn't ruled out also addressing pensions. I am talking with them regularly.

Capito staff asked me whether Arch would oppose the CARE Act if the transfer of Patriot retirees to the '92 plan was eliminated from the legislation. How should we answer that or should we not answer the question which, at this point, I would recommend. I've have told them that the transfer to the '92 plan is by far and away our biggest concern, however I did not say we would not be opposed. Capito and Whitfield staff are talking and as well as McKinley's staff. Recommend giving it a few das to see what evolves.

Advice please

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]

Sent: Tuesday, June 04, 2013 2:05 PM

Cc: Buchanan, Melissa

Subject: FW: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

I realize this is a challenging and complicated issue. You're feedback is appreciated. Please feel free to contact Melissa Buchanan (cc'ed to this email) who is running point on this issue.

From: Pack, Chris

Sent: Tuesday, June 04, 2013 1:53 PM

To: Pack, Chris

Subject: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS



FOR IMMEDIATE RELEASE
Tuesday, June 04, 2013

CONTACT: Chris Pack
(202) 225-3115

WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

WASHINGTON, D.C. – U.S. Rep. Ed Whitfield (KY-01), Chairman of the House Subcommittee on Energy and Power, today released a discussion draft of legislation that would ensure continued health care coverage for miners in danger of losing their benefits resulting from the bankruptcy of Patriot Coal Company. A discussion draft serves as an informal starting point for introducing a bill in the House of Representatives.

“It is critical that we protect the health care benefits of the thousands of Kentucky miners who have worked hard their entire careers to earn those benefits,” stated Whitfield. “That is why I am considering legislative options to ensure that the hardworking miners who took to the mines day in and day out don’t lose the health care that they have rightfully earned.”

The Chapter 11 bankruptcy protection that Patriot filed in July 2012 may impact the health care benefits of roughly 1,500 people and their families in Whitfield’s district. They claim that they will not be able to emerge from bankruptcy without significant changes to retiree health care obligations. As a result, a bankruptcy court recently ruled that Patriot Coal is authorized to transition retirees into a Voluntary Employee Beneficiary Association (VEBA).

Since it is expected that the United Mine Workers of America (UMWA) will appeal the court’s ruling, there is uncertainty regarding the solvency and availability of the VEBA. Whitfield’s legislation addresses this issue by making miners in danger of losing their health care benefits due to Patriot Coal’s bankruptcy eligible for UMWA’s 1993 Benefit Plan.

Whitfield acknowledges that there are challenges with retirees’ pensions, but the most immediate concern is the availability of health care benefits, which is why he is taking this immediate step.

“Protecting the health care benefits is just the first step in what may very well amount to a multifaceted process,” concluded Whitfield.

###

Editor’s Note: Whitfield’s discussion draft is attached.

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Hicks, Cory

From: Buchanan, Melissa
Sent: Wednesday, July 02, 2014 2:29 PM
To: Heydlauff, Emma
Cc: Hicks, Cory
Subject: FW: McKinley Bill

Importance: High

Can you add a meeting to my calendar and Cory's calendar with John Wadsworth and Matt Smith for Monday, July 7 at 2:30pm? The meeting is on the UMWA pension and healthcare issue. John's phone number is 202-320-4888.

Thanks

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Pape, Michael
Sent: Tuesday, July 01, 2014 3:32 PM
To: Hicks, Cory; Buchanan, Melissa
Subject: McKinley Bill
Importance: High

Had a call this afternoon from John Wadsworth. He and his partner Matt Smith own Atlas Advocacy a bipartisan consulting firm. They are working for the United Mine Workers to move the McKinley Bill. John's partner, Matt Smith was Associate Director for the White House Public Liaison Office during the Bush Admin.

John said they are working with Senator Ron Wyden, Chair of the Senate Finance Committee to attach the McKinley Bill language to the Highway Trust Fund Bill that will move in the Senate. Bob Murray is also actively involved with them on this. John asked if we had any influence with Senator McConnell's staff to encourage them to ask Senator McConnell to weigh in or reach out to Senator Orin Hatch who is the ranking member of the Committee to let him know that this language is vitally important to many retired coal miners. I told John that I would contact McConnell's State Director Terry Carmack and that I would ask for your guidance with McConnell's DC staff. He said they are getting somewhat mixed signals from McConnell's DC staff and that they are not trying to push Senator McConnell to do something that he is uncomfortable with but rather see what it is that he might be willing to do to help behind the scenes to move this along.

John Wadsworth's phone number is: 202-320-4888

Michael Pape, District Director

Office of Congressman Ed Whitfield
1403 South Main Street
Hopkinsville, KY 42240
P: 270-885-8079
F: 270-885-8598
E: michael.pape@mail.house.gov

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Hicks, Cory

From: Hicks, Cory
Sent: Thursday, May 02, 2013 10:18 AM
To: Buchanan, Melissa
Subject: Re: UMWA

4.) UMWA has NEVER helped us when we needed it. We asked them to testify on several occasions last Congress and every time they said no despite having the same position as us.

----- Original Message -----

From: Hicks, Cory
Sent: Thursday, May 02, 2013 10:15 AM
To: Buchanan, Melissa
Subject: Re: UMWA

I think there are three things EW needs to understand. There maybe others.

- 1.) Pension isn't our immediate problem.
- 2.) Attacking Peabody and Arch isn't our battle and won't help a bill pass
- 3.) Rahall bill will never pass the House, which is why our bill is narrowed to the specific problem. We're confident we can get several republicans on our bill.

----- Original Message -----

From: Buchanan, Melissa
Sent: Thursday, May 02, 2013 10:08 AM
To: Hicks, Cory
Subject: RE: UMWA

Okay, I will work on it.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547
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-----Original Message-----

From: Hicks, Cory
Sent: Thursday, May 02, 2013 10:08 AM
To: Buchanan, Melissa
Subject: Re: UMWA

Yes. You should prepare a one pager on why the Rahall bill won't move and why the Peabody/Arch battle isn't our fight and won't move either.

----- Original Message -----

From: Buchanan, Melissa
Sent: Thursday, May 02, 2013 09:59 AM
To: Hicks, Cory
Subject: RE: UMWA

Are they coming to talk about our bill?

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547
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-----Original Message-----

From: Hicks, Cory
Sent: Thursday, May 02, 2013 9:58 AM
To: Heydlauff, Emma
Cc: Buchanan, Melissa; Pape, Michael
Subject: UMWA

Please set up a meeting with Bill at UMWA to discuss pension bill next week. Melissa has contact info. Let us know when the date is set. Thanks

Hicks, Cory

From: Hicks, Cory
Sent: Wednesday, April 17, 2013 11:02 AM
To: Pape, Michael
Subject: RE: UMWA/CARE Act

How should we respond to Bill's email? I don't think we need another meeting with them because they are just going to try to persuade us to cosponsor the Rahall bill.

From: Pape, Michael
Sent: Wednesday, April 17, 2013 11:01 AM
To: Hicks, Cory
Subject: Re: UMWA/CARE Act

Wayne Thompson just went to the International Union meeting in St. Louis yesterday. I sure something will be forthcoming.

Sent from my BlackBerry Wireless Handheld

From: Hicks, Cory
Sent: Wednesday, April 17, 2013 09:47 AM
To: Pape, Michael
Subject: Fw: UMWA/CARE Act

?? I thought there was a memo coming?

From: Buchanan, Melissa
Sent: Wednesday, April 17, 2013 09:32 AM
To: Hicks, Cory; Heydlauff, Emma
Subject: FW: UMWA/CARE Act

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Bill Banig [<mailto:bbanig@umwa.org>]
Sent: Wednesday, April 17, 2013 9:33 AM

To: Buchanan, Melissa
Cc: Steve Earle; Adam Banig
Subject: UMWA/CARE Act

Melissa,

I am following up on a meeting that a couple of my Local Union Presidents had with Mr. Whitfield last weekend about the CARE Act. Mr. Whitfield requested that we come in to meet again. He indicated that he had additional questions concerning the legislation. Please let me know when a good time would be for us to come in to meet with him.

Bill Banig
Director of Governmental Affairs
United Mine Workers of America
(W) 703-291-2420
(C) 202-302-0613
(F) 703-291-2451

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Hicks, Cory

From: Hicks, Cory
Sent: Monday, July 08, 2013 5:50 PM
To: Buchanan, Melissa
Subject: FW: Whitfield bill

-----Original Message-----

From: Bill Banig [<mailto:bbanig@umwa.org>]
Sent: Monday, July 08, 2013 5:49 PM
To: Toth, Cory; Tomlinson, Adam
Cc: Hicks, Cory; Adam Banig; Ron Airhart
Subject: Whitfield bill

Guys,

I heard your bosses are going to co-sponsor the Whitfield Caring for Coal Miner Act. Could you confirm this?

Also do you have time Wednesday or Thursday for us to come in to go over the number of people and the available funds.

Sent from my iPhone

Buchanan, Melissa

From: Pape, Michael
Sent: Sunday, August 11, 2013 11:08 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

Thanks!

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Buchanan, Melissa
Sent: Sunday, August 11, 2013 10:41 PM
To: Pape, Michael; Hicks, Cory
Subject: Re: Patriot/UMWA deal

I will let you all know as soon as I hear.

Sent using BlackBerry

----- Original Message -----

From: Pape, Michael
Sent: Sunday, August 11, 2013 10:38 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

It will be interesting to see what they have arrived at tomorrow.

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Buchanan, Melissa
Sent: Sunday, August 11, 2013 10:35 PM
To: Pape, Michael; Hicks, Cory
Subject: Re: Patriot/UMWA deal

Peabody is unhappy, but they are a different company. Patriot is suing Peabody, for spinning off all the retiree obligations when Peabody created Patroit, claiming they set up the company to fail. Its a bad situation overall and much better for everyone if Patriot and UMWA can work out a deal.

Sent using BlackBerry

----- Original Message -----

From: Pape, Michael
Sent: Sunday, August 11, 2013 10:26 PM

To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

I thought Peabody was unhappy with the legislation. Well in any case perhaps is it a temp resolution.

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Buchanan, Melissa
Sent: Sunday, August 11, 2013 10:24 PM
To: Pape, Michael; Hicks, Cory
Subject: Re: Patriot/UMWA deal

None of the introduced bills really had much effect on Patriot. This probably had more to do with UMWA's bankruptcy decision appeal and the other pending lawsuits.

Sent using BlackBerry

----- Original Message -----

From: Pape, Michael
Sent: Sunday, August 11, 2013 10:15 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

I doubt they have worked out a permanent solution. Probably both sides agreeing to short term solution to meet immediate needs. Patriot is probably hoping it will soften legislators stance for a legislative fix and buy them time. Cecil is probably concerned that our leg fix won't come soon enough to meet current healthcare needs of miners and families.

Sent from Michael Pape's iPad

On Aug 11, 2013, at 9:05 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

> I don't know. Hopefully it means they have worked out a solution themselves, and there won't be a need for a legislative fix. I don't have any details and won't know anything until tomorrow.

> -----
> Sent using BlackBerry

>
>
> ----- Original Message -----

> From: Pape, Michael
> Sent: Sunday, August 11, 2013 09:59 PM
> To: Buchanan, Melissa
> Subject: Re: Patriot/UMWA deal

>
> Ok, thanks! How does that impact what we are doing?

>
> Sent from Michael Pape's iPad

>
> On Aug 11, 2013, at 8:56 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

>
>> Sorry, he is the government affairs person with Patriot. He works for Ben Hatfield, the CEO at Patriot. He has met with EW several times.
>> -----
>> Sent using BlackBerry
>>
>>
>> ----- Original Message -----
>> From: Pape, Michael
>> Sent: Sunday, August 11, 2013 09:53 PM
>> To: Buchanan, Melissa
>> Subject: Re: Patriot/UMWA deal
>>
>> Who is Rashid?
>>
>> Sent from Michael Pape's iPad
>>
>> On Aug 11, 2013, at 8:52 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:
>>
>>> Good Evening Sir,
>>>
>>> I apologize for the Sunday night email.
>>> I talked to Rashid earlier tonight. He said that Ben Hatfield and Cecil Roberts reached a 5 year deal tonight regarding benefits for the retirees. The announcement will be made tomorrow morning. Also, UMWA is holding rallies in Charleston, WV and in Henderson, KY on Wednesday to explain the deal to their membership. I will have more details in the morning and will pass them along.
>>>
>>> Thank you,
>>> Melissa
>>> -----
>>> Sent using BlackBerry

Buchanan, Melissa

From: Libell, Mark (Rockefeller) <Mark_Libell@rockefeller.senate.gov>
Sent: Monday, June 03, 2013 3:25 PM
To: Buchanan, Melissa; Patrick Bond
Cc: Hicks, Cory
Subject: RE: UMWA healthcare benefits discussion draft

Thanks Melissa! Pat's out of the country and Greg and I were out late last week, so didn't want you to think we were ignoring.

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Thursday, May 30, 2013 11:29 AM
To: Libell, Mark (Rockefeller); Bond, Patrick (Rockefeller)
Cc: Hicks, Cory
Subject: UMWA healthcare benefits discussion draft

Hi Mark and Patrick,

Attached is the latest discussion draft for our bill prepared using UMWA's edits (Patriot_002). The attorney at leg counsel did have some questions regarding the drafting of the bill. Could you both please take a look and let me know your thoughts? I have also attached the original draft (Patriot_001) of our bill and UMWA's suggested edits. In the meeting Cory and I had with them on Friday, UMWA said that we did not need to transfer the unobligated AML Funds into the 1993 plan. That by simply changing the eligibility requirements for the plan, the contributors would automatically have to pay more money into the plan. Can you please let me know your thoughts?

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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Buchanan, Melissa

From: Rick Axthelm <raxthelm@alphanr.com>
Sent: Tuesday, June 11, 2013 11:12 AM
To: Buchanan, Melissa
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Melissa – is this possibly a timing rather than drafting issue – i.e., withhold introduction while those negotiations take place? We can give this some thought, but at first blush, it's difficult to accomplish the safety net you outlined below and not have it become an “out” to UMWA as you outlined unless the benefits provided in the bill are less than what would be provided under the VEBA (which is counterproductive to your overarching goal of protecting the miners).



Rick Axthelm
Vice President, Federal Government & External Affairs | Alpha Natural Resources
1301 Pennsylvania Avenue NW, Suite 404; Washington, DC 20004
ph: 202-347-5499 | c: 202-407-3375 | f: 276-285-3478
raxthelm@alphanr.com | www.alphanr.com

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From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Tuesday, June 11, 2013 11:03 AM
To: Rick Axthelm
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Hi Rick,

I am still having some problems in clearly drafting this bill. My fear is that introducing a bill that puts the Patriot UMWA retirees into the 1993 Plan will de-incentivize UMWA from working with Patriot to set up the VEBA. The best possible scenario is those two sides working together to reach a compromise. Our goal is to draft a safety net bill, that will either fully provide healthcare benefits in the worst case scenario (the VEBA fails/Patriot liquidates) or act a supplement to the benefits provided by the VEBA so that these people continue to receive the benefits they have been getting. Do you have any thoughts or suggestions regarding a bill that will help the Patriot retirees, but also encourages UMWA to work with Patriot?

Thanks,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Rick Axthelm [mailto:raxthelm@alphanr.com]
Sent: Wednesday, June 05, 2013 4:08 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Glad to help Melissa – please keep up posted as the draft develops.



Rick Axthelm
Vice President, Federal Government & External Affairs | Alpha Natural Resources
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From: Buchanan, Melissa [mailto:Melissa.Buchanan@mail.house.gov]
Sent: Wednesday, June 05, 2013 3:39 PM
To: Rick Axthelm; Hicks, Cory
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Hi Rick,

This is all really helpful and actually makes sense to me. We certainly appreciate it, and will work on making those changes.

Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Rick Axthelm [<mailto:raxthelm@alphanr.com>]
Sent: Wednesday, June 05, 2013 3:20 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Cory – please see some feedback to each of your points below.

Rick, point #1, that was not our intent, so we will try to fix. I think the best way to fix it is to strike lines 16-21. Do you have a suggestion? We only want to cover employees who may lose benefits as a result of the Patriot bankruptcy- aka our constituents. Agreed that striking Lines 16 through 21 of the proposed amendment should suffice, but you might want to double check with Leg. Counsel.

Point #2, this is completely new information, so we'll have to look into it further. Is this a problem? No, just a fact we thought was worth sharing.

Point #3, if the VEBA stays (which as you know is being challenged), the 1993 plan will supplement the VEBA to fulfill the employees benefits. If you can help us clarify this intent, that would be helpful. To avoid individuals receiving "extra" benefits as a result of the VEBA, Leg. Counsel should be able to draft language that would clarify that if an individual receives benefits from another (federal) source, like a VEBA, such payments would be a 100% offset to any payments under these provisions.

Make sense?



Alpha Natural Resources

Rick Axthelm

Vice President, Federal Government & External Affairs | Alpha Natural Resources

1301 Pennsylvania Avenue NW, Suite 404; Washington, DC 20004

ph: 202-347-5499 | c: 202-407-3375 | f: 276-285-3478

raxthelm@alphanr.com | www.alphanr.com

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From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Wednesday, June 05, 2013 2:52 PM
To: Rick Axthelm
Cc: Buchanan, Melissa
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Rick, point #1, that was not our intent, so we will try to fix. I think the best way to fix it is to strike lines 16-21. Do you have a suggestion? We only want to cover employees who may lose benefits as a result of the Patriot bankruptcy- aka our constituents.

Point #2, this is completely new information, so we'll have to look into it further. Is this a problem?

Point #3, if the VEBA stays (which as you know is being challenged), the 1993 plan will supplement the VEBA to fulfill the employees benefits. If you can help us clarify this intent, that would be helpful.

Thanks,

Cory and Melissa

From: Rick Axthelm [<mailto:raxthelm@alphanr.com>]
Sent: Wednesday, June 05, 2013 2:22 PM
To: Hicks, Cory
Cc: Buchanan, Melissa
Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Cory –

Here's some more detailed analysis from our counsel:

Currently, only participants who were enrolled in the 1993 Plan before 1/1/07 are eligible for AML transfer money. 3,000 have been enrolled since that date and not eligible for AML Transfer money. The draft appears to make everyone who is enrolled prior to the date of enactment eligible for AML transfer money. This picks up the 3,000, who, by the way, are presently funded by signatory operator's \$1.10 per hour worked contribution.

It should also be noted that the 2007 Coal Act amendments said no AML money would be transferred to the 1993 Plan unless all operators signatory at that time agreed in their successor labor agreements to contribute at least \$0.50 to the 1993 Plan. Thus, even though under the Whitfield draft the Plan likely would not need the 50 cents per hour going forward, companies would still have to pay it to ensure the flow of AML money. The proposed draft does not purport to address this twist.

Finally, there is some uncertainty in how the proposal would be implemented in view of the fact the same Patriot retirees who would go into the 1993 Plan to be paid from AML transfer money would also will be eligible to get benefits from Patriot's VEBA. The proposed draft does not limit payment from the 1993 Plan to amounts not covered from other sources (such as the VEBA), so it is unclear how benefits payable from the VEBA would be coordinated with benefits payable from the 1993 Plan.



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From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Tuesday, June 04, 2013 10:16 PM
To: Rick Axthelm
Cc: Buchanan, Melissa
Subject: Re: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Rick, the draft (or at least the intent) is to only pick up the patriot retirees that would be affected, which is why there is a provision that says "denied benefits because of a 2012 bankruptcy." We think the added employees to the 1993 plan from Patriot could be higher than 3,000. I would be interested in knowing how they calculated that number.

From: Rick Axthelm [<mailto:raxthelm@alphanr.com>]

Sent: Tuesday, June 04, 2013 07:36 PM

To: Hicks, Cory

Cc: Buchanan, Melissa

Subject: RE: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

Thanks for sharing the draft Cory.

Melissa – from a quick initial read by our counsel, it appears the bill picks up an additional 3,000 or so folks who become covered by the plan between 2007 and today – in addition to the Patriot retirees. Is that accurate and, if so, intended?



Rick Axthelm

Vice President, Federal Government & External Affairs | Alpha Natural Resources

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From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]

Sent: Tuesday, June 04, 2013 2:05 PM

Cc: Buchanan, Melissa

Subject: FW: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

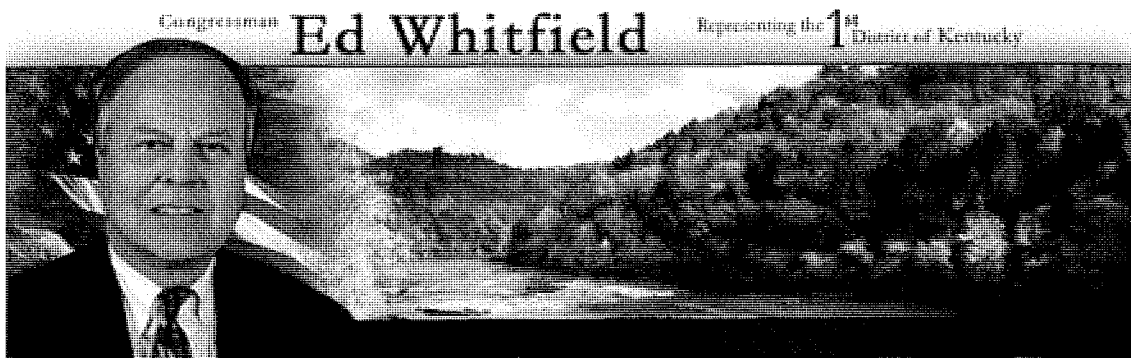
I realize this is a challenging and complicated issue. You're feedback is appreciated. Please feel free to contact Melissa Buchanan (cc'ed to this email) who is running point on this issue.

From: Pack, Chris

Sent: Tuesday, June 04, 2013 1:53 PM

To: Pack, Chris

Subject: WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS



WHITFIELD RELEASES DRAFT LEGISLATION TO PROTECT COAL MINERS' HEALTH CARE BENEFITS

WASHINGTON, D.C. – U.S. Rep. Ed Whitfield (KY-01), Chairman of the House Subcommittee on Energy and Power, today released a discussion draft of legislation that would ensure continued health care coverage for miners in danger of losing their benefits resulting from the bankruptcy of Patriot Coal Company. A discussion draft serves as an informal starting point for introducing a bill in the House of Representatives.

“It is critical that we protect the health care benefits of the thousands of Kentucky miners who have worked hard their entire careers to earn those benefits,” stated Whitfield. “That is why I am considering legislative options to ensure that the hardworking miners who took to the mines day in and day out don’t lose the health care that they have rightfully earned.”

The Chapter 11 bankruptcy protection that Patriot filed in July 2012 may impact the health care benefits of roughly 1,500 people and their families in Whitfield’s district. They claim that they will not be able to emerge from bankruptcy without significant changes to retiree health care obligations. As a result, a bankruptcy court recently ruled that Patriot Coal is authorized to transition retirees into a Voluntary Employee Beneficiary Association (VEBA).

Since it is expected that the United Mine Workers of America (UMWA) will appeal the court’s ruling, there is uncertainty regarding the solvency and availability of the VEBA. Whitfield’s legislation addresses this issue by making miners in danger of losing their health care benefits due to Patriot Coal’s bankruptcy eligible for UMWA’s 1993 Benefit Plan.

Whitfield acknowledges that there are challenges with retirees’ pensions, but the most immediate concern is the availability of health care benefits, which is why he is taking this immediate step.

“Protecting the health care benefits is just the first step in what may very well amount to a multifaceted process,” concluded Whitfield.

###

Editor’s Note: Whitfield’s discussion draft is attached.

Buchanan, Melissa

From: Wheeler, Andrew R. <Andrew.Wheeler@faegrebd.com>
Sent: Monday, June 17, 2013 12:35 PM
To: Buchanan, Melissa; Hicks, Cory
Cc: Tomanelli, Luke S.; mcarey@coalsource.com
Subject: RE: Pensions

Sounds good.

-----Original Message-----

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Monday, June 17, 2013 12:01 PM
To: Wheeler, Andrew R.; Hicks, Cory
Cc: Tomanelli, Luke S.; mcarey@coalsource.com
Subject: RE: Pensions

How about we do the same time, 2:30pm tomorrow afternoon?

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547
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-----Original Message-----

From: Wheeler, Andrew R. [<mailto:Andrew.Wheeler@faegrebd.com>]
Sent: Monday, June 17, 2013 11:57 AM
To: Hicks, Cory
Cc: Tomanelli, Luke S.; mcarey@coalsource.com; Buchanan, Melissa
Subject: RE: Pensions

Tomorrow is better. All I have scheduled is a lunch. What works best for you?

-----Original Message-----

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Monday, June 17, 2013 11:38 AM
To: Wheeler, Andrew R.
Cc: Tomanelli, Luke S.; mcarey@coalsource.com; Buchanan, Melissa
Subject: RE: Pensions

Sorry to do this, but Melissa and I need to be in a meeting at 2:30 with the Congressman. Can we do 1:30 or sometime tomorrow?

-----Original Message-----

From: Wheeler, Andrew R. [<mailto:Andrew.Wheeler@faegrebd.com>]
Sent: Friday, June 14, 2013 7:50 PM
To: Hicks, Cory
Cc: Tomanelli, Luke S.; mcarey@coalsource.com
Subject: Re: Pensions

Lets say 2:30.

Andrew Wheeler
Principal
FaegreBD Consulting
202-312-7424

On Jun 14, 2013, at 6:07 PM, "Hicks, Cory" <Cory.Hicks@mail.house.gov<<mailto:Cory.Hicks@mail.house.gov>>> wrote:

Does 2 or 2:30 work?

From: Wheeler, Andrew R. [<mailto:Andrew.Wheeler@faegrebd.com>]
Sent: Friday, June 14, 2013 05:22 PM
To: Hicks, Cory
Cc: 'mcarey@coalsource.com<<mailto:mcarey@coalsource.com>>'<mcarey@coalsource.com<<mailto:mcarey@coalsource.com>>>
Subject: RE: Pensions

I have a weekly meeting at NMA at 3:30, I can come be either before or after.

From: Hicks, Cory [<mailto:Cory.Hicks@mail.house.gov>]
Sent: Friday, June 14, 2013 4:53 PM
To: Wheeler, Andrew R.
Cc: 'mcarey@coalsource.com<<mailto:mcarey@coalsource.com>>'<mcarey@coalsource.com>>
Subject: Re: Pensions

Thanks for the feedback. We have a very rough draft of this idea that I proposed to you, which my boss has not agreed to nor does he know anything about. It would transfer by our estimates about 210 million (maybe more with interest) to the pension fund by transferring back funds that were taken away to begin with. However, we're not sure it is drafted properly. This could serve as a bridge until the issue can be dealt with in a larger bill. Can you come meet on Monday?

From: Wheeler, Andrew R. [<mailto:Andrew.Wheeler@faegrebd.com>]
Sent: Friday, June 14, 2013 04:34 PM
To: Hicks, Cory
Cc: Mike Carey <mcarey@coalsource.com<<mailto:mcarey@coalsource.com>>>
Subject: Pensions

Cory, Mike and I discussed your idea internally with one of the lawyers. The following is our quick reaction. We did not take this to Mr. Murray because we weren't sure if you were still considering it. Therefore it's not an official position. Let us know if you would like us to run this up to him. Thanks and I'm happy to stop by anytime.

"My initial thought is that this is not even a band aid for the 1974 Pension Plan and may deflect attention from the needed long term fix.

With that being said, something is better than nothing. As I understand the workings of how AML transfers money to the UMWA Benefit Plans, allocating money to the Pension Plan would not undercut funding of the 1993 Benefit Plan.

If the intention is to allocate what remains of the \$490 million annual cap in transfers of AML and General Treasury money after the needs of the Combined Benefit Fund, the 1992 Plan, and the 1993 Plan are satisfied, to prop up the Pension Plan, I can see us supporting it.

Insofar as the remainder of the unused portion of the \$490 million is currently used to fund some other need in the federal budget, there is no downside to the coal industry laying first claim to this surplus for the Pension Plan.

The principal risk would be that in the event the entire \$490 million is spent each year, there would be no way to "reach back" and claim any of it should there be a shortfall in the amount needed by the UMWA Benefit Plans in some future year."

ANDREW R. WHEELER

PRINCIPAL

T: 202.312.7424 | F: 202.312.7441 | C: 202.870.8556

Andrew.Wheeler@FaegreBD.com<mailto:Andrew.Wheeler@FaegreBD.com>

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1050 K STREET, N.W., SUITE 400 | WASHINGTON, DC 20001

Buchanan, Melissa

From: Savage, Hank
Sent: Monday, July 08, 2013 11:57 AM
To: Buchanan, Melissa
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

You're welcome Melissa.

From: Buchanan, Melissa
Sent: Monday, July 08, 2013 11:54 AM
To: Savage, Hank
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

Thank you so much for all of your help on this issue. I know it has been time consuming, and I certainly appreciate your working with me.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Savage, Hank
Sent: Monday, July 08, 2013 11:45 AM
To: Buchanan, Melissa
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

Hi Melissa,

Final text is attached. Please let me know the Committees to which the bill is referred.

Hank Savage
Senior Counsel
Office of the Legislative Counsel
x56060

From: Buchanan, Melissa
Sent: Monday, July 08, 2013 11:18 AM
To: Savage, Hank
Subject: FW: Patriot_002_xml.pdf - Adobe Acrobat Standard

Hi Hank,

This looks great. I just showed the bill to my boss, and he is happy with the changes. He would like to keep the language in brackets, but have it say "for health benefits" to be consistent with the rest of the bill. Also, we are going to introduce the bill this afternoon, so please remove the "discussion draft" header.

Thank you,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Savage, Hank
Sent: Monday, July 08, 2013 10:56 AM
To: Buchanan, Melissa
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

Melissa,

Revised text is attached. In it I clarified the new language by creation and use of 2 definitions. However, there is one further clarification that I think is needed, in brackets.

Hank Savage
Senior Counsel
Office of the Legislative Counsel
x56060

From: Buchanan, Melissa
Sent: Wednesday, July 03, 2013 1:58 PM
To: Savage, Hank
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

Hi Hank,

Just when I thought this bill was ready, I've received some feedback from UMWA. They have concerns that the "duplication of benefits" language at the end of the bill could be misinterpreted as to deny supplementary benefits from the 1993 Plan. They have suggested instead using something like the language below. Would this work? I also attached a copy of the last version you prepared.

Thank you,
Melissa

(b) LIMITATION ON DUPLICATION OF BENEFITS.—

For any person eligible in both the plan referred to in Section 402(h)(C) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)) and a Voluntary Employees' Beneficiary Association (VEBA) established pursuant to the Order entered May 29, 2013, by the Court in the case *In re: Patriot Coal Corporation* (Case No. 12-51502, Bankruptcy Court for the Eastern District of Missouri), the amount made available as a result of the enactment of this Act shall be reduced by the amount of any benefits actually paid by such VEBA to or on behalf of such person so that no such person will receive a greater benefit than would have been payable prior to the establishment of the VEBA.

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
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Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Savage, Hank
Sent: Thursday, June 27, 2013 12:25 PM
To: Buchanan, Melissa
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

Melissa,

Final text is attached.

Hank Savage
Senior Counsel
Office of the Legislative Counsel
tel. x56060
fax x53437

From: Buchanan, Melissa
Sent: Wednesday, June 26, 2013 5:23 PM
To: Savage, Hank
Subject: RE: Patriot_002_xml.pdf - Adobe Acrobat Standard

Hi Hank,

This looks great! I think this is the case number that you need to use:
Patriot Coal bankruptcy case (In re: Patriot Coal Corporation; Case No. 12-51502)
<http://patriotcaseinformation.com/index.php>

Also, we came up with a short title. "Caring for Coal Miners Act."

Could you please prepare this so that my boss can introduce?

Thank you so much,
Melissa

Melissa Buchanan
Legislative Assistant
Office of Congressman Ed Whitfield (KY-01)
2184 Rayburn House Office Building
Washington, DC 20515
Phone: (202) 225-3115
Fax: (202) 225-3547

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From: Birch, Debra **On Behalf Of** Savage, Hank
Sent: Wednesday, June 26, 2013 4:27 PM
To: Buchanan, Melissa
Cc: Savage, Hank
Subject: Patriot_002_xml.pdf - Adobe Acrobat Standard

Buchanan, Melissa

From: Tomlinson, Adam
Sent: Monday, July 08, 2013 4:46 PM
To: Buchanan, Melissa
Subject: RE: UMWA/Patriot Health Benefits Bill

Melissa,

Please add Mrs. Capito.

Thanks

Adam Tomlinson
Legislative Director
Rep. Shelley Moore Capito
202-225-2711

From: Buchanan, Melissa
Sent: Monday, July 08, 2013 12:02 PM
To: Sarley, Chris; Frederick, Robert; Cunningham, Ryan; Orth, Patrick; Isakovic, Jason
Cc: Toth, Cory; Tomlinson, Adam
Subject: UMWA/Patriot Health Benefits Bill

Hi All,

Attached is the final language for Congressman Whitfield's UMWA healthcare benefits bill. This bill will put the retirees affected by the Patriot Bankruptcy into the 1993 Plan, but clarifies that the if a VEBA is established, retirees cannot receive duplicative benefits from both. The 1993 plan will only be a supplement to VEBA benefits to ensure the retirees receive the benefits they were promised. Congressman Whitfield is going to introduce this bill today, and I know it is short notice, but we would love to have your boss' support. Please let me know if you have any questions or need additional information.

Melissa

Melissa Buchanan
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Buchanan, Melissa

From: Bennett, Tate (McConnell) <Tate_Bennett@mcconnell.senate.gov>
Sent: Friday, July 26, 2013 2:31 PM
To: Buchanan, Melissa
Subject: RE: jobs/Patriot

Thanks. And thanks for your patience with all my questions!

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Friday, July 26, 2013 2:25 PM
To: Bennett, Tate (McConnell)
Subject: RE: jobs/Patriot

Yes, and while they haven't come out really in support, they are much happier with this bill than with the (Rockefeller/Rahall) CARE Act. I did work a lot with Tom Altmeyer from Arch, but we didn't hear much from Peabody when we were working on the bill.

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From: Bennett, Tate (McConnell) [mailto:Tate_Bennett@mcconnell.senate.gov]
Sent: Friday, July 26, 2013 1:53 PM
To: Buchanan, Melissa
Subject: RE: jobs/Patriot

Got it. Thanks. And Peabody/ Arch – have you talked to them since introducing the bill? I'd imagine they were fine because they aren't on the hook...

From: Buchanan, Melissa [<mailto:Melissa.Buchanan@mail.house.gov>]
Sent: Friday, July 26, 2013 1:51 PM
To: Bennett, Tate (McConnell)
Subject: RE: jobs/Patriot

A lot of/most of them never worked for Patriot. They retired from Peabody, Arch, or one of the other legacies that Peabody spun off when they created Patriot.

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From: Bennett, Tate (McConnell) [mailto:Tate_Bennett@mcconnell.senate.gov]
Sent: Friday, July 26, 2013 1:47 PM
To: Buchanan, Melissa
Subject: jobs/Patriot

Last question- promise.

Do you know where this info came from? Looking for Patriot's footprint as far as employment in the state/ stats on who is affected by the bankruptsy.

Thanks!

Tate

The Chapter 11 bankruptcy protection that Patriot filed in July 2012 may impact the health care benefits of roughly 1,500 people and their families in Whitfield's district. They claim that they will not be able to emerge from bankruptcy without significant changes to retiree health care obligations. As a result, a bankruptcy court recently ruled that Patriot Coal is authorized to transition retirees into a Voluntary Employee Beneficiary Association (VEBA).

Elizabeth Tate Bennett
The Office of U.S. Senator Mitch McConnell
Legislative Assistant
Agriculture, Energy & Environment
(202) 224-2541

Hicks, Cory

From: Pape, Michael
Sent: Sunday, August 11, 2013 11:08 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

Thanks!

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Buchanan, Melissa
Sent: Sunday, August 11, 2013 10:41 PM
To: Pape, Michael; Hicks, Cory
Subject: Re: Patriot/UMWA deal

I will let you all know as soon as I hear.

Sent using BlackBerry

----- Original Message -----

From: Pape, Michael
Sent: Sunday, August 11, 2013 10:38 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

It will be interesting to see what they have arrived at tomorrow.

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Buchanan, Melissa
Sent: Sunday, August 11, 2013 10:35 PM
To: Pape, Michael; Hicks, Cory
Subject: Re: Patriot/UMWA deal

Peabody is unhappy, but they are a different company. Patriot is suing Peabody, for spinning off all the retiree obligations when Peabody created Patriot, claiming they set up the company to fail. Its a bad situation overall and much better for everyone if Patriot and UMWA can work out a deal.

Sent using BlackBerry

----- Original Message -----

From: Pape, Michael
Sent: Sunday, August 11, 2013 10:26 PM

To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

I thought Peabody was unhappy with the legislation. Well in any case perhaps is it a temp resolution.

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Buchanan, Melissa
Sent: Sunday, August 11, 2013 10:24 PM
To: Pape, Michael; Hicks, Cory
Subject: Re: Patriot/UMWA deal

None of the introduced bills really had much effect on Patriot. This probably had more to do with UMWAs bankruptcy decision appeal and the other pending lawsuits.

Sent using BlackBerry

----- Original Message -----

From: Pape, Michael
Sent: Sunday, August 11, 2013 10:15 PM
To: Buchanan, Melissa; Hicks, Cory
Subject: Re: Patriot/UMWA deal

I doubt they have worked out a permanent solution. Probably both sides agreeing to short term solution to meet immediate needs. Patriot is probably hoping it will soften legislators stance for a legislative fix and buy them time. Cecil is probably concerned that our leg fix won't come soon enough to meet current healthcare needs of miners and families.

Sent from Michael Pape's iPad

On Aug 11, 2013, at 9:05 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

> I don't know. Hopefully it means they have worked out a solution themselves, and there won't be a need for a legislative fix. I don't have any details and won't know anything until tomorrow.

> -----
> Sent using BlackBerry

>
>

> ----- Original Message -----

> From: Pape, Michael
> Sent: Sunday, August 11, 2013 09:59 PM
> To: Buchanan, Melissa
> Subject: Re: Patriot/UMWA deal

>
>

> Ok, thanks! How does that impact what we are doing?

>
> Sent from Michael Pape's iPad
>

> On Aug 11, 2013, at 8:56 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:

>
>> Sorry, he is the government affairs person with Patriot. He works for Ben Hatfield, the CEO at Patriot. He has met with EW several times.
>> -----
>> Sent using BlackBerry
>>
>>
>> ----- Original Message -----
>> From: Pape, Michael
>> Sent: Sunday, August 11, 2013 09:53 PM
>> To: Buchanan, Melissa
>> Subject: Re: Patriot/UMWA deal
>>
>> Who is Rashid?
>>
>> Sent from Michael Pape's iPad
>>
>> On Aug 11, 2013, at 8:52 PM, "Buchanan, Melissa" <Melissa.Buchanan@mail.house.gov> wrote:
>>
>>> Good Evening Sir,
>>>
>>> I apologize for the Sunday night email.
>>> I talked to Rashid earlier tonight. He said that Ben Hatfield and Cecil Roberts reached a 5 year deal tonight regarding benefits for the retirees. The announcement will be made tomorrow morning. Also, UMWA is holding rallies in Charleston, WV and in Henderson, KY on Wednesday to explain the deal to their membership. I will have more details in the morning and will pass them along.
>>>
>>> Thank you,
>>> Melissa
>>> -----
>>> Sent using BlackBerry

Hicks, Cory

From: Hicks, Cory
Sent: Wednesday, May 29, 2013 1:48 PM
To: Buchanan, Melissa
Subject: Re: UMWA bill

Yes. I think removing the AML piece will work.

From: Buchanan, Melissa
Sent: Wednesday, May 29, 2013 01:46 PM
To: Hicks, Cory
Subject: RE: UMWA bill

Do you still want me to meet with leg counsel this afternoon? I was going to meet with them to discuss the changes UMWA proposed.

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From: Hicks, Cory
Sent: Wednesday, May 29, 2013 1:46 PM
To: Buchanan, Melissa
Subject: Re: UMWA bill

That sounds accurate, but we'll need to run some traps before we introduce. Can you go ahead and send UMWA's edits and the first draft to Steve Hart and Tom Altmeyer and cc me? You might point out this question and see what they say.

From: Buchanan, Melissa
Sent: Wednesday, May 29, 2013 01:43 PM
To: Hicks, Cory
Subject: UMWA bill

I wanted to just double check with you before my meeting with Leg Counsel this afternoon on the Coal Miners bill. Per our meeting with UMWA, it was my understanding that we don't need to include language regarding the transfer of excess of AML funds because, if we change the eligibility date to include new miners in the 1993, the amount of money available will automatically increase.

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