



U.S. Congressman  
**Nick Rahall**  
*WORKING FOR WEST VIRGINIANS*

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## **HOUSE COMMITTEE SET TO ACT ON BLACK LUNG REFORM BILL**

**BECKLEY, WV** – U.S. Rep. Nick J. Rahall (D-WV) announced that the House Committee on Education and Labor is scheduled to consider landmark legislation to reform the Federal black lung program next Wednesday, April 13th.

"I have been laboring in the fields of black lung reform for several years now and finally I can see that there is light at the end of the tunnel," Rahall said of his six year effort to obtain the enactment of legislation to address the shortcomings of the program.

Rahall and other coalfield Congressmen have maintained that various judicial and administrative actions over the years have caused an arbitrarily low black lung benefit approval rate. Other problems faced by claimants include the long period of time it takes the Labor Department to process a claim, the inability to find legal representation, the denial of benefits to widows, and government attempts to seek repayment of benefits paid under claims that are appealed years after the initial payment was made.

The bill scheduled to be considered by the Education and Labor Committee next week would:

- \*\* Provide that repayment of benefits paid on an initially approved claim would not be required if the claim is ultimately denied, unless fraud or deception was used to obtain the payment.**
- \*\* Limit the amount of qualifying evidence a claimant could be made to produce to support benefit eligibility.**
- \*\* Provide benefits for survivors and dependents if the miner was receiving benefits or was total disabled by pneumoconiosis at time of death.**
- \*\* Stipulate that if, as result of administrative or judicial proceeding on a claim a determination is made that the claimant is entitled to benefits, the claimant would receive all reasonable costs incurred by claimant as a result of the proceedings in order to cover legal fees.**

Rahall, who has been advancing a more comprehensive bill, said Federal budgetary constraints caused the Subcommittee on Labor Standards to report a milder version to the full Committee on Education and Labor.

"The important thing at this juncture is to keep the ball rolling and get this bill to the House Floor," Rahall noted. "At that time, we may consider whether strengthening amendments have a chance of succeeding."

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