



U.S. Congressman
Nick Rahall
WORKING FOR WEST VIRGINIANS

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WASHINGTON - A long-awaited study released late this week by the U.S. General Accounting Office confirms that coal miners seeking black lung benefits are subjected to excessive delays and incomplete information.

The findings of the GAO's comprehensive study will be on the agenda later this month at a Congressional field hearing arranged by U.S. Rep. Nick Rahall, to be held in Chapmanville.

The black lung study, which the non-partisan agency began in October 1988 at the request of U.S. Rep. Alan B. Mollohan, found that:

- o Black lung claims that are appealed -- 30 percent are -- take about eight years to resolve. Contributing to this delay is an 8,000-case backlog caused by a short-handed Benefits Review Board. GAO says more judges and staff attorneys are needed to clear the backlog.

- o The Department of Labor does not adequately inform miners who lost benefits that they can appeal overpayment decisions. (Rahall and Mollohan already have cosponsored legislation that would allow some claimants to keep overpayments.)

Mollohan and Rahall, both D-W.Va., have reviewed the 40-page study and will discuss its recommendations with Secretary of Labor Elizabeth Dole as a step to resolving the problems.

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The GAO study also reports that a panel of medical experts considered the medical criteria used in evaluating black lung claims "reasonable."

In addition, the study reports that only about 9 percent of claims are approved and that the number of miners seeking benefits declined significantly during the 1980s, reaching the lowest level in the program's 21-year history in 1988 with 3,104 applicants.

The study also points out that although the Black Lung Disability Trust Fund remains self-supporting on a year-to-year basis, it owes \$3 billion to the U.S. Treasury for loans taken between 1978 and 1980. Benefits won't be affected, but the GAO estimates the deficit will continue beyond the year 2020 unless corrective steps are taken.

"Accurately identifying flaws in the black lung program is the first step," Mollohan said. "Now that Congress has facts in hand, legislation to resolve those problems can be advanced."

According to Rahall, "The findings made by this report and Congressional hearings such as the one we are holding in Chapmanville will help establish a strong record in support of remedial legislation."