



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

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**BLACK LUNG REFORM BILLS GET HOUSE HEARING**  
*Rahall Says Feds Have Broken Commitment to Black Lung Victims*

**WASHINGTON, D.C.** -- The intent of Congress that victims of black lung disease be compensated has been subverted by the Labor Department and nothing short of a legislative fix will remedy the situation, U.S. Rep. Nick J. Rahall (D-WV) charged during a hearing today on legislation aimed at reforming the federal black lung benefits program.

"Naturally, the claim approval rate is low. It is low because the effect of these challenges and proceedings, which can span a period of 10 or more years, are to wear the claimant out until he dies," Rahall noted in reference to the current Labor Department claim adjudication process and the fact that most claimants cannot afford to hire high-priced lawyers to make their case.

"Simply put, these miners are getting the short end of the stick," concluded Rahall.

Today's hearing by the House Subcommittee on Labor Standards was on a number of pending black lung bills. Two of the bills, H.R. 694 sponsored by Rahall, and H.R. 1637, introduced by the Subcommittee's Chairman, Rep. Austin Murphy (D-PA), take comprehensive approaches to addressing the shortcomings of the current program.

According to Rahall, the two bills are similar in that they would provide for a presumption of eligibility based on a single piece of qualifying evidence, cause the review of previously denied claims, address problems relating to widow's benefits, and require that benefits be paid out of the federal Black Lung Disability Trust Fund thereby eliminating contest proceedings brought by individual coal companies.

Rahall recognized that congressmen who are not from coal mining regions may have difficulty understanding the extent of human suffering associated with black lung disease.

"To those of you who perhaps have never visited with a victim of black lung disease, have not seen the crippling effects of this condition, I would ask that you come with me, travel through the hills and hollows of Appalachia, and see, first-hand, the pain and suffering on their faces," Rahall said. "These are not people who are looking for a hand-out. These are people who worked their lives in the most dangerous occupation in this country. These are people who were promised compensation by their government. And these are people who now see their government break that promise."

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