



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

FOR IMMEDIATE RELEASE  
JULY 24, 1991

CONTACT: JIM ZOIA  
(202) 226-7761

### **BLACK LUNG BILL APPROVED BY HOUSE PANEL**

**WASHINGTON, D.C.** -- A House panel today approved a comprehensive federal black lung measure that contains the major reforms being advanced by U.S. Rep. Nick J. Rahall (D-WV), the National Black Lung Association and West Virginia black lung organizations.

"The battle has been joined in the House of Representatives over black lung reform legislation," an exuberant Rahall said after the Subcommittee on Labor Standards approved the bill.

The legislation approved by the subcommittee, sponsored by its chairman, Rep. Austin Murphy, is modeled after the measure Rahall introduced in January of this year.

"Today's action sends a message throughout the coalfields. The voices of those who suffer from the crippling effects of black lung disease have reached Congress, and Congress is heeding their cry," Rahall, who began the effort to reform the federal black lung program in 1988, stated.

Under the legislation, a miner would be presumed to be totally disabled by black lung and eligible for benefits if the miner presents a single piece of qualifying medical evidence such as a positive X-ray, ventilatory or blood gas studies, or a medical opinion. The Secretary of Labor could rebut the presumption of eligibility only if he can show that the miner is doing coal mine work or could actually do coal mine work. The new standards would apply to all new claims filed, all pending claims, and all previously claims denied.

Rahall has consistently argued that this was the standard originally intended by the Congress. Administrative and judicial actions, he contends, have undermined the program.

The bill will now be pending before the full Committee on Education and Labor where Rahall said that he will push for its further consideration.

- 30 -