



# FACT SHEET

House Committee on Education and Labor  
Chairman Robert C. "Bobby" Scott

## Black Lung Benefits Disability Trust Fund Solvency Act of 2022 (H.R. 6462)

*Legislation to ensure the solvency of the fund that provides health care and benefits for disabled coal miners suffering from black lung disease*

### Background

In 1969, Congress passed the Federal Coal Mine Health and Safety Act, which included a national compensation system for black lung disease. That program currently provides \$694 per month to coal miners totally disabled by black lung disease, provides \$1,040 per month for a miner with one dependent, provides benefits to survivors, and pays medical benefits for treatment of the disease.

In general, mine operators are responsible for paying black lung benefits, but in cases where no responsible mine operator could be identified – or when the liable mine operator is out of business – the benefits are paid by the Black Lung Disability Trust Fund. Today, roughly 75 percent of all Black Lung Benefit Act claims are paid from the Trust Fund.

### The Growing Strain on the Black Lung Disability Trust Fund

The Black Lung Disability Trust Fund is financed primarily by a tax on coal produced and sold domestically. The tax was first established in 1978 at \$0.50 per ton on underground coal, and \$0.25 per ton on surface coal. The funding was later raised to \$1.10/ton for underground coal and \$0.55/ton for surface coal in a series of enactments by Congress, the last of which was a one-year authorization in December 2020 covering calendar year 2021.

Due to congressional inaction, however, on December 31, 2021, the tax rate reverted to \$0.50 per ton on underground coal and \$0.25 per ton on surface coal—a 55% reduction. The Trust Fund is already approximately \$5 billion in debt. This recent reduction in the tax rate is estimated to cost the Trust Fund \$2.6 million per week. The Government Accountability Office projects that permanent reduction in the excise tax rate, coupled with a decline in coal production, will expand the Trust Fund's debt to **\$15.4 billion** by 2050.

At the same time, the rates of the most severe form of black lung disease – Progressive Massive Fibrosis (PMF) – are now rising to unprecedented levels. In 2015, the prevalence of PMF among long-tenured miners in central Appalachia had surpassed 5 percent and reached the highest level ever recorded. Studies show that 20 percent of long-time miners in Appalachia now have black lung disease—the highest rate in 25 years.

### About the Bill

The *Black Lung Benefits Disability Trust Fund Solvency Act of 2022* will protect access to health care and benefits for retired coal miners suffering from black lung disease. The bill extends the black lung excise tax rate (1.10/ton for underground coal; \$0.55/ton for surface coal) for 10 years through December 31, 2031, which will help keep the Trust Fund solvent and remove future pressure to cut benefit eligibility for coal miners or their families.