



COMMITTEE ON
EDUCATION & LABOR
REPUBLICANS

**COMMITTEE
STATEMENT**

**Opening Statement of Rep. Ron Wright (R-TX)
Subcommittee on Workforce Protections Hearing:
“Asleep at the Switch: How the Department of Labor Failed to Oversee the Black
Lung Disability Trust Fund”
February 26, 2020**

(As prepared for delivery)

“Workers in the mining industry have been an extremely important part of the American economy for decades. Congress created the Black Lung Benefits Program to provide benefits to mine workers who are disabled due to black lung disease.

Unfortunately, the Black Lung Disability Trust Fund, which is funded primarily through a tax on coal and designed to provide benefits to these workers when responsible employers are not able to pay benefits, has not been managed effectively.

According to a study released this morning by the Government Accountability Office (GAO), the Trust Fund has faced financial challenges since it was established more than 40 years ago. In fact, the Trust Fund has needed to borrow from the U.S. Treasury almost every year to cover its expenditures, which includes financing the debt that the program has generated since its inception.

It is our understanding that today’s hearing is intended to focus on Department of Labor (DOL) oversight of the Trust Fund specifically related to the coal mine operator insurance program. While there is bipartisan agreement that there have been serious oversight problems facing this program, it is disappointing that my Democratic colleagues have decided to schedule this hearing only hours after the GAO publicly released its report. This has left Members and the public very little

time to review thoroughly the findings and recommendations included in the report and limited their opportunity to question today's witnesses more effectively. Program integrity and proper DOL oversight should not be shortchanged and prematurely rushed by this Committee.

I also take issue with the title of today's hearing. Committee Democrats have once again titled this hearing in a way to deceive the general public and place scrutiny solely on the Trump administration. The GAO made it clear that the Trust Fund has faced financial challenges since it was established in 1978, not just under the Trump administration – as the misleading title of this hearing suggests. Additionally, the DOL's oversight of the Trust Fund and operational failures have persisted for decades under Democrat and Republican administrations.

Let's not forget, the Obama administration's 'war on coal' made it harder for coal companies to thrive, while at the same time the Trust Fund's financial problems continued to grow.

As we will hear from both of our witnesses today, the Office of Workers' Compensation Programs under the Trump administration is taking long overdue, proactive steps to improve oversight and management of the Trust Fund by implementing new processes to reevaluate and reauthorize self-insurance for coal mine operators; requesting additional data on black lung claims and benefit liability; and issuing preliminary guidance to field supervisors and claims examiners.

I believe we can all work together with the administration to support commonsense, workable, and innovative approaches to ensure DOL is conducting proper oversight and ensuring miner benefits are protected. I am encouraged by Director Hearnway's work in this area and the ongoing efforts to implement the GAO's recommended reforms to improve oversight of this important program. I'd like to thank our witnesses for being here today and I look forward to hearing your testimony."

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