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Statement by Senator Edmund S. Muskie on the Black Lung Benefits Act of 1972

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STATEMENT BY SENATOR MUSKIE
UPON PASSAGE OF THE
BLACK LUNG BENEFITS ACT OF 1972 - (H.R. 9212)
APRIL 17, 1972 -- WASHINGTON, D.C.

Today the Senate has acted to force the Administration to give coal miners suffering from black lung disease and their families the care and treatment they deserve. Since 1969 the Administration has callously been denying benefits under the 1969 Coal Mine Safety Act with the use of narrow regulations and procedures. Now we have acted, over the opposition of the coal industry and the Administration, to do what is just.

This nation owes much to the men of coal. The creative comforts that most of us enjoy today rest largely upon the energy which coal supplies to America. But our nation has used and abused the men who mine the coal, and their families. Today we have taken a step which will in some small measure provide equitable treatment to this neglected group of American workers.

The dread black lung disease has afflicted men who work in the coal mines of our nation since coal mining began. For several decades the connection between the inhalation of coal dust by the miners and the high incidence of severe respiratory disease in these men has been well known. But not until the Federal Coal Mine Health and Safety Act of 1969 did the government of the United States take a significant step toward appropriate recognition of and compensation for this deadly serious work-related disease. In 1969, the Congress of the United States saw fit to deal with the problem and did so by passing legislation designed by Congress to alleviate the suffering of those coal miners, and their families and survivors, who fall victim to black lung disease.

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But, in what has been an all-too-familiar pattern for the last 3 1/2 years, the Nixon Administration deliberately and callously chose to interpret and enforce the black lung disease provisions of the Federal Coal Mine Health and Safety Act of 1969 as narrowly and conservatively as possible. The Social Security Administration was directed by the Nixon Administration to hide behind an X-ray machine and to deny benefits in all cases except those in which positive proof of black lung disease could be ascertained through X-ray. As a result, more than 50% of the claims for compensation for black lung disease which have been filed under the 1969 Act have been rejected by officials constrained by the callous Nixon Administration regulations and interpretations.

Furthermore, the 1969 legislation itself left too many gaps. For example, orphaned children and dependent parents, brothers and sisters of coal miners who succumb to work-related respiratory ailments were not eligible for benefits under the 1969 legislation. In addition, only underground miners were covered in any way by the 1969 legislation, although there is no medical dispute about the fact that surface coal mining also subjects the miner to the risk of black lung disease.

All of these problems and more will be alleviated by the tough legislation which the Senate has passed today. Notwithstanding efforts of the Nixon Administration and the coal industry to deny to the coal miners of America the simple justice of compensation for black lung disease, the Senate has today done what is right.

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