

Union Calendar No. 483

117TH CONGRESS
2D SESSION

H. R. 6102

[Report No. 117–589, Part I]

To ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as “black lung disease”), and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2021

Mr. CARTWRIGHT (for himself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 2, 2022

Reported from the Committee on Education and Labor with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

DECEMBER 2, 2022

Referral to the Committee on Ways and Means extended for a period ending not later than December 15, 2022

DECEMBER 15, 2022

Referral to the Committee on Ways and Means extended for a period ending not later than December 23, 2022

DECEMBER 23, 2022

Additional sponsors: Mr. CARSON, Ms. ADAMS, Mr. MFUME, Mr. BOWMAN, Ms. SHERRILL, Ms. WILSON of Florida, Mr. DESAULNIER, Mr. LEVIN of Michigan, Ms. BONAMICI, Mr. TAKANO, Mr. NORCROSS, and Mr. LYNCH

DECEMBER 23, 2022

Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on December 1, 2021]

A BILL

To ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as “black lung disease”), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Black Lung Benefits*
 5 *Improvement Act of 2022”.*

6 **SEC. 2. TABLE OF CONTENTS.**

7 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—BLACK LUNG BENEFITS

**PART A—IMPROVING THE PROCESS FOR FILING AND ADJUDICATING CLAIMS
FOR BENEFITS**

*Sec. 101. Providing assistance with claims for miners and their dependent family
members.*

Sec. 102. Clarifying eligibility for black lung benefits.

Sec. 103. Development of medical evidence by the Secretary.

*Sec. 104. False statements or misrepresentations, attorney disqualification, and
discovery sanctions.*

Sec. 105. Readjudicating cases involving certain chest radiographs.

Sec. 106. Attorneys’ fees and medical expenses payment program.

*Sec. 107. Restoring adequate benefit adjustments for miners suffering from black
lung disease and for their dependent family members.*

*Sec. 108. Disclosure of employment and earnings information for Black Lung
benefits claims.*

**PART B—REPORTS TO IMPROVE THE ADMINISTRATION OF BENEFITS UNDER
THE BLACK LUNG BENEFITS ACT**

Sec. 121. Strategy to reduce delays in adjudication.

**PART C—IMPROVEMENT IN THE FINANCIAL SECURITY OF THE BLACK LUNG
BENEFITS DISABILITY TRUST FUND**

Sec. 131. Policies for securing the payment of benefits.

**TITLE II—ESTABLISHING THE OFFICE OF WORKERS’
COMPENSATION PROGRAMS**

Sec. 201. Office of Workers’ Compensation Programs.

TITLE III—ADDITIONAL PROVISIONS

Sec. 301. Technical and conforming amendments.

Sec. 302. Severability.

1 ***TITLE I—BLACK LUNG BENEFITS***

2 ***PART A—IMPROVING THE PROCESS FOR FILING***

3 ***AND ADJUDICATING CLAIMS FOR BENEFITS***

4 ***SEC. 101. PROVIDING ASSISTANCE WITH CLAIMS FOR MIN-***

5 ***ERS AND THEIR DEPENDENT FAMILY MEM-***

6 ***BERS.***

7 *Section 427(a) of the Black Lung Benefits Act (30*
 8 *U.S.C. 937(a)) is amended by striking “the analysis, exam-*
 9 *ination, and treatment” and all that follows through “coal*
 10 *miners.” and inserting “the analysis, examination, and*
 11 *treatment of respiratory and pulmonary impairments in*
 12 *active and inactive coal miners and for assistance on behalf*
 13 *of miners, spouses, dependents, and other family members*
 14 *with claims arising under this title.”.*

15 ***SEC. 102. CLARIFYING ELIGIBILITY FOR BLACK LUNG BENE-***

16 ***FITS.***

17 *Section 411(c) of the Black Lung Benefits Act (30*
 18 *U.S.C. 921(c)) is amended by striking paragraph (3) and*
 19 *inserting the following:(3)(A) If x-ray, CT scan, biopsy, au-*
 20 *topsy, or other medically accepted and relevant test or pro-*
 21 *cedure establishes that a miner is suffering or has suffered*
 22 *from a chronic dust disease of the lung, diagnosed as com-*
 23 *plicated pneumoconiosis or progressive massive fibrosis (as*
 24 *determined in accordance with subparagraph (B)), then*
 25 *there shall be an irrebuttable presumption that such miner*

1 *is totally disabled due to pneumoconiosis, that the miner's*
2 *death was due to pneumoconiosis, or that at the time of*
3 *death the miner was totally disabled by pneumoconiosis, as*
4 *the case may be.*

5 “(B) *For purposes of subparagraph (A), com-*
6 *plicated pneumoconiosis or progressive massive fibro-*
7 *sis can be established by any of the following:*

8 “(i) *A chest radiograph, which yields one or*
9 *more large opacities whose greatest diameter ex-*
10 *ceeds 1 centimeter and would be classified in*
11 *Category A, B, or C in the International Classi-*
12 *fication of Radiographs of Pneumoconiosis by*
13 *the International Labor Organization, in the ab-*
14 *sence of more probative evidence sufficient to es-*
15 *tablish that the etiology of the large opacity is*
16 *not pneumoconiosis.*

17 “(ii) *A chest CT scan, which yields one or*
18 *more large opacities whose greatest diameter ex-*
19 *ceeds 1 centimeter, in the absence of more pro-*
20 *bative evidence sufficient to establish that the eti-*
21 *ology of the large opacity is not pneumoconiosis.*

22 “(iii) *A lung biopsy or autopsy, which*
23 *would yield a lesion at least 1 centimeter in its*
24 *long axis diameter if measured at the time of*
25 *gross dissection.*

1 “(iv) A diagnosis by other means that
 2 would reasonably be expected to yield results de-
 3 scribed in clause (i), (ii), or (iii).”.

4 **SEC. 103. DEVELOPMENT OF MEDICAL EVIDENCE BY THE**
 5 **SECRETARY.**

6 *Part C of the Black Lung Benefits Act (30 U.S.C. 931*
 7 *et seq.) is amended by adding at the end the following:*

8 **“SEC. 435. DEVELOPMENT OF MEDICAL EVIDENCE BY THE**
 9 **SECRETARY.**

10 “(a) *COMPLETE PULMONARY EVALUATION.*—Upon re-
 11 *quest by a claimant for benefits under this title, the Sec-*
 12 *retary shall provide the claimant an opportunity to sub-*
 13 *stantiate the claim through a complete pulmonary evalua-*
 14 *tion of the miner that shall include—*

15 “(1) *an initial report, conducted by a qualified*
 16 *physician on the list provided under subsection (e),*
 17 *and in accordance with subsection (d)(5) and sections*
 18 *402(f)(1)(D) and 413(b); and*

19 “(2) *if the conditions under subsection (b) are*
 20 *met, any supplemental medical evidence described in*
 21 *subsection (c).*

22 “(b) *AUTHORIZING CHEST SCANS.*—*In diagnosing*
 23 *whether there is complicated pneumoconiosis as a part of*
 24 *a medical examination conducted under subsection (a), the*
 25 *Secretary shall authorize a high-quality, low-dose or stand-*

1 *ard computerized tomography scan where any or a com-*
 2 *bination of the following is found:*

3 “(1) *Any certified B reader of a chest radiograph*
 4 *associated with an exam conducted under section*
 5 *413(b) finds pneumoconiosis (ILO category 2/1 or*
 6 *greater).*

7 “(2) *Any certified B reader of a chest radiograph*
 8 *associated with an exam conducted under section*
 9 *413(b) finds a coalescence of small opacities.*

10 “(c) *CONDITIONS FOR SUPPLEMENTAL MEDICAL EVI-*
 11 *DENCE.—The Secretary shall develop supplemental medical*
 12 *evidence, in accordance with subsection (d)—*

13 “(1) *for any claim in which the Secretary rec-*
 14 *ommends an award of benefits based on the results of*
 15 *the initial report under subsection (a)(1) and a party*
 16 *opposing such award submits evidence that could be*
 17 *considered contrary to the findings of the Secretary;*
 18 *and*

19 “(2) *for any compensation case under this title*
 20 *heard by an administrative law judge, in which—*

21 “(A) *the Secretary has awarded benefits to*
 22 *the claimant;*

23 “(B) *the party opposing such award has*
 24 *submitted evidence not previously reviewed that*

1 *could be considered contrary to the award under*
2 *subparagraph (A); and*

3 “(C) *the claimant or, if the claimant is rep-*
4 *resented by an attorney, the claimant’s attorney*
5 *consents to the Secretary developing supple-*
6 *mental medical evidence.*

7 “(d) *PROCESS FOR SUPPLEMENTAL MEDICAL EVI-*
8 *DENCE.—*

9 “(1) *IN GENERAL.—Except as provided under*
10 *paragraph (2), to develop supplemental medical evi-*
11 *dence under conditions described in subsection (c), the*
12 *Secretary shall request the physician who conducted*
13 *the initial report under subsection (a)(1) to—*

14 “(A) *review any medical evidence submitted*
15 *after such report or the most recent supplemental*
16 *report, as appropriate; and*

17 “(B) *update his or her opinion in a supple-*
18 *mental report.*

19 “(2) *ALTERNATIVE PHYSICIAN.—If such physi-*
20 *cian is no longer available or is unwilling to provide*
21 *supplemental medical evidence under paragraph (1),*
22 *the Secretary shall select another qualified physician*
23 *from the list provided pursuant to subsection (e) to*
24 *provide such evidence.*

1 “(e) *QUALIFIED PHYSICIANS FOR COMPLETE PUL-*
2 *MONARY EVALUATION AND PROTECTIONS FOR SUITABILITY*
3 *AND POTENTIAL CONFLICTS OF INTEREST.*—

4 “(1) *QUALIFIED PHYSICIANS LIST.*—*The Sec-*
5 *retary shall create and maintain a list of qualified*
6 *physicians to be selected by a claimant to perform the*
7 *complete pulmonary evaluation described in sub-*
8 *section (a).*

9 “(2) *PUBLIC AVAILABILITY.*—*The Secretary shall*
10 *make the list under this subsection available to the*
11 *public.*

12 “(3) *ANNUAL EVALUATION.*—*Each year, the Sec-*
13 *retary shall update such list by reviewing the suit-*
14 *ability of the listed qualified physicians and assessing*
15 *any potential conflicts of interest.*

16 “(4) *CRITERIA FOR SUITABILITY.*—*The Secretary*
17 *shall include on the list only those physicians whom*
18 *the Secretary determines are qualified, capable, and*
19 *willing to provide credible opinions consistent with*
20 *the premises underlying this Act. In determining*
21 *whether a physician is suitable to be on the list under*
22 *this subsection, the Secretary shall consult the Na-*
23 *tional Practitioner Data Bank of the Department of*
24 *Health and Human Services and assess reports of ad-*
25 *verse licensure, certifications, hospital privilege, and*

1 *professional society actions involving the physician.*

2 *In no case shall such list include any physician—*

3 “(A) *who is not licensed to practice medi-*
4 *cine in any State or any territory, common-*
5 *wealth, or possession of the United States;*

6 “(B) *whose license is revoked by a medical*
7 *licensing board of any State, territory, common-*
8 *wealth, or possession of the United States; or*

9 “(C) *whose license is suspended by a med-*
10 *ical licensing board of any State, territory, com-*
11 *monwealth, or possession of the United States.*

12 “(5) *CONFLICTS OF INTEREST.—The Secretary*
13 *shall develop and implement policies and procedures*
14 *to ensure that any actual or potential conflict of in-*
15 *terest of qualified physicians on the list under this*
16 *subsection, including both individual and organiza-*
17 *tional conflicts of interest, are disclosed to the Depart-*
18 *ment, and to provide such disclosure to claimants.*
19 *Such policies and procedures shall provide that a*
20 *physician with a conflict of interest shall not be used*
21 *to perform a complete pulmonary medical evaluation*
22 *under subsection (a) that is reimbursed pursuant to*
23 *subsection (g) if—*

24 “(A) *such physician is employed by, under*
25 *contract to, or otherwise providing services to a*

1 *private party opposing the claim, a law firm or*
2 *lawyer representing such opposing party, or an*
3 *interested insurer or other interested third party;*
4 *or*

5 *“(B) such physician has been retained by a*
6 *private party opposing the claim, a law firm or*
7 *lawyer representing such opposing party, or an*
8 *interested insurer or other interested third party*
9 *in the previous 24 months.*

10 *“(f) RECORD.—Upon receipt of any initial report or*
11 *supplemental report under this section, the Secretary shall*
12 *enter the report in the record and provide a copy of such*
13 *report to all parties to the proceeding.*

14 *“(g) EXPENSES.—All expenses related to obtaining the*
15 *medical evidence under this section shall be paid for by the*
16 *fund. If a claimant receives a final award of benefits, the*
17 *operator liable for payment of benefits, if any, shall reim-*
18 *burse the fund for such expenses, which shall include inter-*
19 *est.”.*

20 **SEC. 104. FALSE STATEMENTS OR MISREPRESENTATIONS,**
21 **ATTORNEY DISQUALIFICATION, AND DIS-**
22 **COVERY SANCTIONS.**

23 *Section 431 of the Black Lung Benefits Act (30 U.S.C.*
24 *941) is amended to read as follows:*

1 **“SEC. 431. FALSE STATEMENTS OR MISREPRESENTATIONS,**
 2 **ATTORNEY DISQUALIFICATION, AND DIS-**
 3 **COVERY SANCTIONS.**

4 “(a) *IN GENERAL.*—No person, including any claim-
 5 ant, physician, operator, duly authorized agent of such op-
 6 erator, or employee of an insurance carrier, shall—

7 “(1) *knowingly and willfully make a false state-*
 8 *ment or misrepresentation for the purpose of obtain-*
 9 *ing, increasing, reducing, denying, or terminating*
 10 *benefits under this title; or*

11 “(2) *knowingly and willfully threaten, coerce, in-*
 12 *timidate, deceive, or mislead a party, representative,*
 13 *witness, potential witness, judge, or anyone partici-*
 14 *pating in a proceeding regarding any matter related*
 15 *to a proceeding under this title.*

16 “(b) *FINE; IMPRISONMENT.*—Any person who engages
 17 in the conduct described in subsection (a) shall, upon con-
 18 viction, be subject to a fine in accordance with title 18,
 19 United States Code, imprisoned for not more than 5 years,
 20 or both.

21 “(c) *PROMPT INVESTIGATION.*—The United States At-
 22 torney for the district in which the conduct described in
 23 subsection (a) is alleged to have occurred shall make every
 24 reasonable effort to promptly investigate each complaint of
 25 a violation of such subsection.

26 “(d) *DISQUALIFICATION.*—

1 “(1) *IN GENERAL.*—An attorney or expert wit-
2 ness who engages in the conduct described in sub-
3 section (a) shall, in addition to the fine or imprison-
4 ment provided under subsection (b), be permanently
5 disqualified from representing any party, or appear-
6 ing in any proceeding, under this title.

7 “(2) *ATTORNEY DISQUALIFICATION.*—In addition
8 to the disqualification described in paragraph (1), the
9 Secretary may disqualify an attorney from rep-
10 resenting any party in any administrative proceeding
11 under this title for either a limited term or perma-
12 nently, if the attorney—

13 “(A) engages in any action or behavior that
14 is prejudicial to the fair and orderly conduct of
15 such proceeding; or

16 “(B) is suspended or disbarred by any court
17 of the United States, any State, or any territory,
18 commonwealth, or possession of the United
19 States with jurisdiction over the proceeding.

20 “(e) *DISCOVERY SANCTIONS.*—An administrative law
21 judge may sanction a party who fails to comply with an
22 order to compel discovery or disclosure, or to supplement
23 earlier responses, in a proceeding under this title. These
24 sanctions may include, as appropriate—

1 “(1) drawing an adverse inference against the
2 noncomplying party on the facts relevant to the dis-
3 covery or disclosure order;

4 “(2) limiting the noncomplying party’s claims,
5 defenses, or right to introduce evidence; and

6 “(3) rendering a default decision against the
7 noncomplying party.

8 “(f) *REGULATIONS.*—The Secretary shall promulgate
9 a proposed rule not later than 180 days after the date of
10 enactment of this Act and a final rule not later than 18
11 months after such date of enactment that—

12 “(1) provides procedures for the disqualifications
13 and sanctions under this section and is appropriate
14 for all parties; and

15 “(2) distinguishes between parties that are rep-
16 resented by an attorney and parties that are not rep-
17 resented by an attorney.”.

18 **SEC. 105. READJUDICATING CASES INVOLVING CERTAIN**
19 **CHEST RADIOGRAPHS.**

20 *Part C of the Black Lung Benefits Act (30 U.S.C. 931*
21 *et seq.), as amended by section 103, is further amended by*
22 *adding at the end the following:*

23 **“SEC. 436. READJUDICATING CASES INVOLVING DISCRED-**
24 **ITED EXPERT OPINIONS.**

25 “(a) *DEFINITIONS.*—In this section:

1 “(1) *COVERED CHEST RADIOGRAPH.*—*The term*
2 *‘covered chest radiograph’ means a chest radiograph*
3 *that was interpreted as negative for simple pneumo-*
4 *coniosis, complicated pneumoconiosis, or progressive*
5 *massive fibrosis by a physician with respect to whom*
6 *the Secretary has directed, in writing and after an*
7 *evaluation by the Secretary, that such physician’s*
8 *negative interpretations of chest radiographs not be*
9 *credited, except where subsequently determined to be*
10 *credible by the Secretary in evaluating a claim for*
11 *benefits under this Act.*

12 “(2) *COVERED INDIVIDUAL.*—*The term ‘covered*
13 *individual’ means an individual whose record for a*
14 *claim for benefits under this Act includes a covered*
15 *chest radiograph.*

16 “(3) *COVERED SURVIVOR.*—*The term ‘covered*
17 *survivor’ means an individual who—*

18 “(A) *is a survivor of a covered individual*
19 *whose claim under this Act was still pending at*
20 *the time of the covered individual’s death; and*

21 “(B) *who continued to seek an award with*
22 *respect to the covered individual’s claim after the*
23 *covered individual’s death.*

1 “(b) *CLAIMS.*—A covered individual or a covered sur-
 2 vivor whose claim for benefits under this Act was denied
 3 may file a new claim for benefits under this Act.

4 “(c) *ADJUDICATION ON THE MERITS.*—

5 “(1) *IN GENERAL.*—Any new claim filed under
 6 subsection (b) shall be adjudicated on the merits and
 7 shall not include consideration of a covered chest
 8 radiograph.

9 “(2) *COVERED SURVIVOR.*—Any new claim filed
 10 under subsection (b) by a covered survivor shall be
 11 adjudicated as either a miner’s or a survivor’s claim
 12 depending upon the type of claim pending at the time
 13 of the covered individual’s death.

14 “(d) *TIME OF PAYMENT.*—

15 “(1) *MINER’S CLAIM.*—If a claim, filed under
 16 subsection (b) and adjudicated under subsection (c) as
 17 a miner’s claim, results in an award of benefits, bene-
 18 fits shall be payable beginning with the month of the
 19 filing of the denied claim that had included in its
 20 record a covered chest radiograph.

21 “(2) *SURVIVOR’S CLAIM.*—If a claim, filed under
 22 subsection (b) and adjudicated under subsection (c) as
 23 a survivor’s claim, results in an award of benefits,
 24 benefits shall be payable beginning with the month of
 25 the miner’s death.

1 “(e) *CONTRIBUTING IMPACT.*—*The Secretary shall*
 2 *have the discretion to deny a new claim under subsection*
 3 *(b) in circumstances where the party opposing such claim*
 4 *establishes through clear and convincing evidence that a*
 5 *covered chest radiograph did not contribute to the decision*
 6 *to deny benefits in all prior claims filed by the covered indi-*
 7 *vidual or the covered survivor.*

8 “(f) *LIMITATION ON FILING OF NEW CLAIMS.*—*A new*
 9 *claim for benefits may be filed under subsection (b) only*
 10 *if the original claim was finally denied by a district direc-*
 11 *tor, an administrative law judge, or the Benefits Review*
 12 *Board established under section 21(b) of the Longshore and*
 13 *Harbor Workers’ Compensation Act (33 U.S.C. 921(b)).”.*

14 **SEC. 106. ATTORNEYS’ FEES AND MEDICAL EXPENSES PAY-**
 15 **MENT PROGRAM.**

16 *Part A of the Black Lung Benefits Act (30 U.S.C. 901*
 17 *et seq.) is amended by adding at the end the following:*

18 **“SEC. 403. ATTORNEYS’ FEES AND MEDICAL EXPENSES PAY-**
 19 **MENT PROGRAM.**

20 “(a) *PROGRAM ESTABLISHED.*—

21 “(1) *IN GENERAL.*—*Not later than 180 days*
 22 *after the date of enactment of the Black Lung Benefits*
 23 *Improvement Act of 2022, the Secretary shall estab-*
 24 *lish a payment program to pay attorneys’ fees and*
 25 *other reasonable and unreimbursed medical expenses*

1 *incurred in establishing the claimant's case, using*
2 *amounts from the fund, to the attorneys of claimants*
3 *in qualifying claims.*

4 “(2) *QUALIFYING CLAIM.*—*A qualifying claim*
5 *for purposes of this section is a contested claim for*
6 *benefits under this title for which a final order has*
7 *not been entered within two years of the filing of the*
8 *claim.*

9 “(3) *USE OF PAYMENTS FROM THE FUND.*—*Not-*
10 *withstanding any other provision of law, amounts in*
11 *the fund shall be available for payments authorized*
12 *by the Secretary under this section.*

13 “(b) *PAYMENTS AUTHORIZED.*—

14 “(1) *ATTORNEYS' FEES.*—*If a claimant for bene-*
15 *fits under this title obtains a proposed decision and*
16 *order from a district director with an award of bene-*
17 *fits for a qualifying claim, or an award for a quali-*
18 *fying claim before an administrative law judge, the*
19 *district director may approve attorneys' fees for work*
20 *done before such director in an amount not to exceed*
21 *\$1,500 and an administrative law judge may approve*
22 *attorneys' fees for work done before such judge in an*
23 *amount not to exceed \$3,000. The Secretary shall,*
24 *through the program under this section, pay such*
25 *amounts approved.*

1 “(2) *MEDICAL EXPENSES.*—If a claimant for
2 *benefits under this title obtains a proposed decision*
3 *and order from a district director with an award of*
4 *benefits for a qualifying claim, or an award for a*
5 *qualifying claim before an administrative law judge,*
6 *such district director and administrative law judge*
7 *may each approve an award to the claimant’s attor-*
8 *ney of reasonable and unreimbursed medical expenses*
9 *incurred in establishing the claimant’s case in an*
10 *amount not to exceed \$1,500. The Secretary shall,*
11 *through the program under this section, pay such*
12 *amounts approved.*

13 “(3) *MAXIMUM.*—The program established under
14 *this section shall not pay more than a total of \$4,500*
15 *in attorneys’ fees nor more than \$3,000 in medical*
16 *expenses for any single qualifying claim.*

17 “(c) *REIMBURSEMENT OF FUNDS.*—In any case in
18 *which a qualifying claim results in a final order awarding*
19 *compensation, the liable operator shall reimburse the fund*
20 *for any fees or expenses paid under this section, subject to*
21 *enforcement by the Secretary under section 424 and in the*
22 *same manner as compensation orders are enforced under*
23 *section 21(d) of the Longshore and Harbor Workers’ Com-*
24 *pensation Act (33 U.S.C. 921(d)).*

1 “(d) *ADDITIONAL PROGRAM RULES.*—*Nothing in this*
2 *section shall limit or otherwise affect an operator’s liability*
3 *for any attorneys’ fees, medical expenses, or other allowable*
4 *and unreimbursed expenses awarded by the district director*
5 *or an administrative law judge that were not paid by the*
6 *program under this section. Nothing in this section shall*
7 *limit or otherwise affect the Secretary’s authority to use*
8 *amounts in the fund to pay approved attorneys’ fees and*
9 *other allowable and unreimbursed expenses in claims for*
10 *benefits under this title for which a final order awarding*
11 *compensation has been entered and the operator is unable*
12 *or refuses to pay.*

13 “(e) *NO RECOUPMENT.*—*Any payment for attorneys’*
14 *fees or medical expenses made by the Secretary under this*
15 *section shall not be recouped from the claimant or the*
16 *claimant’s attorney.”.*

17 **SEC. 107. RESTORING ADEQUATE BENEFIT ADJUSTMENTS**
18 **FOR MINERS SUFFERING FROM BLACK LUNG**
19 **DISEASE AND FOR THEIR DEPENDENT FAM-**
20 **ILY MEMBERS.**

21 *Section 412(a) of the Black Lung Benefits Act (30*
22 *U.S.C. 922(a)) is amended by striking paragraph (1) and*
23 *inserting the following:*

1 “(1) *In the case of total disability of a miner due to*
2 *pneumoconiosis, the disabled miner shall be paid benefits*
3 *during the disability—*

4 “(A) *for any calendar year preceding January 1,*
5 *2022, at a rate equal to 37½ percent of the monthly*
6 *pay rate for Federal employees in grade GS–2, step*
7 *1;*

8 “(B) *for the calendar year beginning on January*
9 *1, 2022, at a rate of \$8,834.01 per year, payable in*
10 *12 equal monthly payments; and*

11 “(C) *for each calendar year thereafter, at a rate*
12 *equal to the product of the rate in effect under this*
13 *paragraph for the calendar year immediately pre-*
14 *ceding such calendar year multiplied by the ratio*
15 *(not less than 1) of—*

16 “(i) *the Consumer Price Index for Urban*
17 *Wage Earners and Clerical Workers (CPI–W, as*
18 *published by the Bureau of Labor Statistics of*
19 *the Department of Labor) for the calendar year*
20 *immediately preceding such calendar year, to*

21 “(ii) *the CPI–W for the second calendar*
22 *year preceding such calendar year.”.*

1 **SEC. 108. DISCLOSURE OF EMPLOYMENT AND EARNINGS IN-**
2 **FORMATION FOR BLACK LUNG BENEFITS**
3 **CLAIMS.**

4 *(a) TAX RETURN INFORMATION.—*

5 *(1) IN GENERAL.—Section 6103(l) of the Inter-*
6 *nal Revenue Code of 1986 is amended by adding at*
7 *the end the following new paragraph:*

8 *“(23) DISCLOSURE OF RETURN INFORMATION TO*
9 *DEPARTMENT OF LABOR TO CARRY OUT BLACK LUNG*
10 *BENEFITS ACT.—*

11 *“(A) IN GENERAL.—The Commissioner of*
12 *Social Security shall, on written request with re-*
13 *spect to any individual, disclose to officers or*
14 *employees of the Department of Labor return in-*
15 *formation from returns with respect to net earn-*
16 *ings from self-employment (as defined in section*
17 *1402) and wages (as defined in section 3121(a)*
18 *or 3401(a)) for employment for each employer of*
19 *such individual.*

20 *“(B) RESTRICTION ON DISCLOSURE.—The*
21 *Commissioner of Social Security shall disclose*
22 *return information under subparagraph (A) only*
23 *for purposes of, and the extent necessary in, car-*
24 *rying out the proper administration of the Black*
25 *Lung Benefits Act (30 U.S.C. 901 et seq.).”.*

1 (2) CONFORMING AMENDMENTS.—Section
2 6103(p)(4) of such Code is amended—

3 (A) in the matter preceding subparagraph
4 (A), by striking “or (22)” and inserting “(22),
5 or (23)”; and

6 (B) in subparagraph (F)(ii), by striking
7 “or (22),” and inserting “(22), or (23)”.

8 (b) SOCIAL SECURITY EARNINGS INFORMATION.—Not-
9 withstanding section 552a of title 5, United States Code,
10 or any other provision of Federal or State law, the Commis-
11 sioner of Social Security shall make available to the officers
12 and employees of the Department of Labor, upon written
13 request, the Social Security earnings information of living
14 or deceased individuals who are the subject of a claim under
15 the Black Lung Benefits Act (30 U.S.C. 901 et seq.), which
16 the Secretary of Labor may require to carry out such Act.
17 Such information shall be made available in electronic
18 form.

19 **PART B—REPORTS TO IMPROVE THE ADMINIS-**
20 **TRATION OF BENEFITS UNDER THE BLACK**
21 **LUNG BENEFITS ACT**

22 **SEC. 121. STRATEGY TO REDUCE DELAYS IN ADJUDICA-**
23 **TION.**

24 (a) IN GENERAL.—Not later than 90 days after the
25 date of enactment of this Act, the Secretary of Labor shall

1 *submit to the Committee on Health, Education, Labor, and*
 2 *Pensions and the Committee on Appropriations of the Sen-*
 3 *ate and the Committee on Education and Labor and the*
 4 *Committee on Appropriations of the House of Representa-*
 5 *tives a comprehensive strategy to reduce the backlog of cases*
 6 *pending on such date of enactment before the Office of Ad-*
 7 *ministrative Law Judges of the Department of Labor.*

8 (b) *CONTENTS OF STRATEGY.—The strategy under this*
 9 *section shall provide information relating to—*

10 (1) *the current and targeted pendency for each*
 11 *category of cases before the Office of Administrative*
 12 *Law Judges of the Department of Labor;*

13 (2) *the number of administrative law judges, at-*
 14 *torney advisors supporting such judges, support staff,*
 15 *and other resources necessary to achieve and main-*
 16 *tain the targeted pendency for each category of such*
 17 *cases;*

18 (3) *the necessary resources to improve efficiency*
 19 *and effectiveness, such as equipment for video con-*
 20 *ferences, training, use of reemployed annuitants, and*
 21 *administrative reforms; and*

22 (4) *with respect to claims filed under the Black*
 23 *Lung Benefits Act (30 U.S.C. 901 et seq.), the nec-*
 24 *essary resources needed to reduce the average pend-*
 25 *ency of cases to less than 12 months from the date of*

1 *receipt of the case to the date of disposition of such*
 2 *case.*

3 **PART C—IMPROVEMENT IN THE FINANCIAL SE-**
 4 **CURITY OF THE BLACK LUNG BENEFITS DIS-**
 5 **ABILITY TRUST FUND**

6 **SEC. 131. POLICIES FOR SECURING THE PAYMENT OF BENE-**
 7 **FITS.**

8 *(a) IN GENERAL.—Not later than 60 days after the*
 9 *date of enactment of this Act, the Secretary shall publish*
 10 *an interim final rule setting forth the requirements for an*
 11 *operator of a coal mine to qualify as a self-insurer with*
 12 *respect any portion of the operator’s liabilities under the*
 13 *Black Lung Benefits Act, as described in section 423(a)(1)*
 14 *of such Act (30 U.S.C. 933(a)(1)). Such rule shall—*

15 *(1) establish criteria, relating to the financial*
 16 *health of the operator (including creditworthiness,*
 17 *long-term enterprise viability, and other liabilities),*
 18 *on which the eligibility of the operator to seek and*
 19 *maintain qualification as a self-insurer shall be deter-*
 20 *mined;*

21 *(2) establish procedures to determine on an an-*
 22 *nuual basis (or more frequently, where deemed nec-*
 23 *essary by the Secretary) the minimum amount of se-*
 24 *curity sufficient to insure current and projected li-*
 25 *abilities; and*

1 (3) *establish procedures for review by the Sec-*
 2 *retary of operator appeals of determinations described*
 3 *in paragraphs (1) and (2).*

4 *The Secretary shall promulgate a final rule not later than*
 5 *12 months after the date of enactment of this Act.*

6 (b) *PENALTIES.—*

7 (1) *IN GENERAL.—Section 423(d)(1) of the Black*
 8 *Lung Benefits Act (30 U.S.C. 933(d)(1)) is amend-*
 9 *ed—*

10 (A) *by striking “\$1,000” and inserting*
 11 *“\$25,000”;*

12 (B) *by inserting “chief executive officer,*
 13 *chief operating officer,” after the word “presi-*
 14 *dent,” each place it appears;*

15 (C) *by striking “and treasurer” each place*
 16 *it appears and inserting “treasurer, and other*
 17 *responsible party”;*

18 (D) *by striking “for any benefit” and all*
 19 *that follows through “this section.” and inserting*
 20 *“for—*

21 *“(A) any benefit which may accrue under this*
 22 *title in respect to any disability which may occur to*
 23 *any employee of such corporation while it shall so fail*
 24 *to secure the payment of benefits as required by this*
 25 *section; or*

1 “(B) in the event of bankruptcy or other perma-
2 nent abandonment of the obligation to secure the pay-
3 ment of benefits, the actuarial present value of the
4 benefits to be paid by the fund under section
5 424(b)(1), projected as of the date of failure to secure
6 such benefits, less any security recovered or surren-
7 dered, plus interest.”.

8 (2) *OTHER RESPONSIBLE PARTY DEFINED.*—Sec-
9 tion 402 of the *Black Lung Benefits Act* (30 U.S.C.
10 902) is amended by inserting at the end the following:

11 “(j) The term ‘other responsible party’ means—

12 “(1) an individual, partnership, joint venture,
13 corporation, mutual company, joint-stock company,
14 trust, estate, unincorporated organization, associa-
15 tion, or other enterprise that possesses, directly or in-
16 directly, the power to direct or cause the direction of
17 the management and policies of an operator or em-
18 ployer; or

19 “(2) any trade or business (whether or not incor-
20 porated) which is under common control with an op-
21 erator or employer.”.

1 **TITLE II—ESTABLISHING THE**
2 **OFFICE OF WORKERS’ COM-**
3 **PENSATION PROGRAMS**

4 **SEC. 201. OFFICE OF WORKERS’ COMPENSATION PRO-**
5 **GRAMS.**

6 (a) *ESTABLISHMENT.*—There shall be established, in
7 the Department of Labor, an Office of Workers’ Compensa-
8 tion Programs (referred to in this section as the “Office”).

9 (b) *DIRECTOR.*—

10 (1) *IN GENERAL.*—The Office shall be directed by
11 a Director for the Office of Workers’ Compensation
12 (referred to in this section as the “Director”) who
13 shall be appointed by the President, by and with the
14 advice and consent of the Senate.

15 (2) *DUTIES.*—The Director shall carry out all
16 duties carried out by the Director for the Office of
17 Workers’ Compensation as of the day before the date
18 of enactment of this Act.

19 (c) *FUNCTIONS.*—The functions of the Office on and
20 after the date of enactment of this Act shall include the func-
21 tions of the Office on the day before the date of enactment
22 of this Act, including all of its personnel, assets, authorities,
23 and liabilities.

24 (d) *REFERENCES TO BUREAU OF EMPLOYEES’ COM-*
25 *PENSATION.*—Reference in any other Federal law, Executive

1 *order, reorganization plan, rule, regulation, or delegation*
 2 *of authority, or any document of or relating to the Bureau*
 3 *of Employees' Compensation with regard to functions car-*
 4 *ried out by the Office of Workers' Compensation Programs,*
 5 *shall be deemed to refer to the Office of Workers' Compensa-*
 6 *tion Programs.*

7 ***TITLE III—ADDITIONAL*** 8 ***PROVISIONS***

9 ***SEC. 301. TECHNICAL AND CONFORMING AMENDMENTS.***

10 *The Black Lung Benefits Act (30 U.S.C. 901 et seq.)*
 11 *is amended—*

12 *(1) in section 401(a) (30 U.S.C. 901(a)), by in-*
 13 *serting “or who were found to be totally disabled by*
 14 *such disease” after “such disease”;*

15 *(2) in section 402—*

16 *(A) in subsection (a), by striking paragraph*
 17 *(2) and inserting the following:*

18 *“(2) a spouse who is a member of the same*
 19 *household as the miner, or is receiving regular con-*
 20 *tributions from the miner for support, or whose*
 21 *spouse is a miner who has been ordered by a court*
 22 *to contribute to support, or who meets the require-*
 23 *ments of paragraph (1) or (2) of section 216(b) of the*
 24 *Social Security Act or paragraph (1) or (2) of section*
 25 *216(f) of such Act. An individual is the ‘spouse’ of a*

1 *miner when such individual is legally married to the*
 2 *miner under the laws of the State where the marriage*
 3 *was celebrated. The term ‘spouse’ also includes a ‘di-*
 4 *vorced wife’ or ‘divorced husband’, as such terms are*
 5 *defined in paragraph (1) or (4) of section 216(d) of*
 6 *such Act, who is receiving at least one-half of his or*
 7 *her support, as determined in accordance with regula-*
 8 *tions prescribed by the Secretary, from the miner, or*
 9 *is receiving substantial contributions from the miner*
 10 *(pursuant to a written agreement), or there is in ef-*
 11 *fect a court order for substantial contributions to the*
 12 *spouse’s support from such miner.’;*

13 *(B) by striking subsection (e) and inserting*
 14 *the following:*

15 *“(e) The term ‘surviving spouse’ includes the spouse*
 16 *living with or dependent for support on the miner at the*
 17 *time of the miner’s death, or living apart for reasonable*
 18 *cause or because of the miner’s desertion, or who meets the*
 19 *requirements of subparagraph (A), (B), (C), (D), or (E) of*
 20 *section 216(c)(1) of the Social Security Act, subparagraph*
 21 *(A), (B), (C), (D), or (E) of section 216(g)(1) of such Act,*
 22 *or section 216(k) of such Act, who is not married. An indi-*
 23 *vidual is the ‘surviving spouse’ of a miner when legally*
 24 *married at the time of the miner’s death under the laws*
 25 *of the State where the marriage was celebrated. Such term*

1 *also includes a ‘surviving divorced wife’ or ‘surviving di-*
 2 *vorced husband’, as such terms are defined in paragraph*
 3 *(2) or (5) of section 216(d) of such Act who for the month*
 4 *preceding the month in which the miner died, was receiving*
 5 *at least one-half of his or her support, as determined in*
 6 *accordance with regulations prescribed by the Secretary,*
 7 *from the miner, or was receiving substantial contributions*
 8 *from the miner (pursuant to a written agreement) or there*
 9 *was in effect a court order for substantial contributions to*
 10 *the spouse’s support from the miner at the time of the min-*
 11 *er’s death.”;*

12 (C) *in subsection (g)—*

13 (i) *in paragraph (2)(B)(ii), by striking*
 14 *“he ceased” and inserting “the individual*
 15 *ceased”;* and

16 (ii) *in the matter following paragraph*
 17 *(2)(C), by striking “widow” each place it*
 18 *appears and inserting “surviving spouse”;*

19 (D) *in subsection (h), by striking “Internal*
 20 *Revenue Code of 1954” and inserting “Internal*
 21 *Revenue Code of 1986”;* and

22 (E) *in subsection (i), by striking “Internal*
 23 *Revenue Code of 1954” and inserting “Internal*
 24 *Revenue Code of 1986”;*

25 (3) *in section 411 (30 U.S.C. 921)—*

1 (A) by striking subsection (a) and inserting
2 the following:

3 “(a) The Secretary shall, in accordance with the provi-
4 sions of this title, and the regulations promulgated by the
5 Secretary under this title, make payments of benefits in re-
6 spect of—

7 “(1) total disability of any miner due to pneu-
8 moconiosis;

9 “(2) the death of any miner whose death was due
10 to pneumoconiosis;

11 “(3) total disability of any miner at the time of
12 the miner’s death with respect to a claim filed under
13 part C prior to January 1, 1982;

14 “(4) survivors’ benefits for any survivor’s claim
15 filed after January 1, 2005, that is pending on or
16 after March 23, 2010, where the miner is found enti-
17 tled to receive benefits on a claim filed under part C;
18 and

19 “(5) survivors’ benefits where the miner is found
20 entitled to receive benefits on a claim filed under part
21 C before January 1, 1982.”; and

22 (B) in subsection (c)—

23 (i) in paragraph (1), by striking “his
24 pneumoconiosis” and inserting “the miner’s
25 pneumoconiosis”; and

1 (ii) in paragraph (2), by striking “his
2 death” and inserting “the miner’s death”;

3 (4) in section 412 (30 U.S.C. 922)—

4 (A) in subsection (a)—

5 (i) by striking paragraph (2) and in-
6 serting the following:

7 “(2) In the case of a surviving spouse—

8 “(A) of a miner whose death is due to pneumo-
9 coniosis;

10 “(B) in a claim filed after January 1, 2005, and
11 that is pending on or after March 23, 2010, of a
12 miner who is found entitled to receive benefits on a
13 claim filed under part C;

14 “(C) of a miner who is found entitled to receive
15 benefits on a claim filed under part C before January
16 1, 1982; or

17 “(D) in a claim filed under part C before Janu-
18 ary 1, 1982, of a miner who was totally disabled by
19 pneumoconiosis at the time of the miner’s death,
20 benefits shall be paid to the miner’s surviving spouse at the
21 rate the deceased miner would receive such benefits if he
22 were totally disabled.”;

23 (ii) in paragraph (3)—

24 (I) by striking “(3) In the case”
25 and all that follows through “section

1 411(c)” and inserting the following:
 2 “(3)(A) In the case of the child or chil-
 3 dren of a miner described in subpara-
 4 graph (B)”;

5 (II) by striking “he” each place it
 6 appears and inserting “the child”;

7 (III) by striking “widow” each
 8 place it appears and inserting “sur-
 9 viving spouse”; and

10 (IV) by adding at the end the fol-
 11 lowing:

12 “(B) Subparagraph (A) shall apply in the case of any
 13 child or children—

14 “(i) of a miner whose death is due to pneumo-
 15 coniosis;

16 “(ii) in a claim filed after January 1, 2005, that
 17 is pending on or after March 23, 2010, of a miner
 18 who is found entitled to receive benefits on a claim
 19 filed under part C;

20 “(iii) of a miner who is found entitled to receive
 21 benefits on a claim filed under part C before January
 22 1, 1982;

23 “(iv) in a claim filed under part C before Janu-
 24 ary 1, 1982, of a miner who was totally disabled by
 25 pneumoconiosis at the time of the miner’s death;

1 “(v) of a surviving spouse who is found entitled
2 to receive benefits under this part at the time of the
3 surviving spouse’s death; or

4 “(vi) entitled to the payment of benefits under
5 paragraph (5) of section 411(c).”;

6 (iii) in paragraph (5)—

7 (I) by striking the first sentence
8 and inserting the following: “In the
9 case of the dependent parent or parents
10 of a miner who is not survived at the
11 time of death by a surviving spouse or
12 a child and (i) whose death is due to
13 pneumoconiosis, (ii) in a claim filed
14 after January 1, 2005, that is pending
15 on or after March 23, 2010, who is
16 found entitled to receive benefits on a
17 claim filed under part C, (iii) who is
18 found entitled to receive benefits on a
19 claim filed under part C before Janu-
20 ary 1, 1982, or (iv) in a claim filed
21 under part C before January 1, 1982,
22 who was totally disabled by pneumo-
23 coniosis at the time of the miner’s
24 death; in the case of the dependent sur-
25 viving brother(s) or sister(s) of such a

1 miner who is not survived at the time
2 of the miner's death by a surviving
3 spouse, child, or parent; in the case of
4 the dependent parent or parents of a
5 miner (who is not survived at the time
6 of the miner's death by a surviving
7 spouse or child) who are entitled to the
8 payment of benefits under paragraph
9 (5) of section 411(c); or in the case of
10 the dependent surviving brother(s) or
11 sister(s) of a miner (who is not sur-
12 vived at the time of the miner's death
13 by a surviving spouse, child, or parent)
14 who are entitled to the payment of ben-
15 efits under paragraph (5) of section
16 411(c), benefits shall be paid under
17 this part to such parent(s), or to such
18 brother(s), or sister(s), at the rate spec-
19 ified in paragraph (3) (as if such par-
20 ent(s) or such brother(s) or sister(s),
21 were the children of such miner)."; and

22 (II) in the fourth sentence—

23 (aa) by striking "brother
24 only if he" and inserting "brother

1 *or sister only if the brother or sis-*
2 *ter*"; and

3 *(bb) by striking "before he*
4 *ceased" and inserting "before the*
5 *brother or sister ceased"; and*

6 *(iv) in paragraph (6), by striking*
7 *"prescribed by him" and inserting "pre-*
8 *scribed by such Secretary";*

9 *(B) in subsection (b)—*

10 *(i) by striking "his" each place it ap-*
11 *pears and inserting "such miner's"; and*

12 *(ii) by striking "widow" each place it*
13 *appears and inserting "surviving spouse";*
14 *and*

15 *(C) in subsection (c), by striking "Internal*
16 *Revenue Code of 1954" and inserting "Internal*
17 *Revenue Code of 1986";*

18 *(5) in section 413 (30 U.S.C. 923)—*

19 *(A) in subsection (b)—*

20 *(i) in the second sentence, by striking*
21 *"his wife's affidavits" and inserting "affi-*
22 *davits of the miner's spouse";*

23 *(ii) in the ninth sentence, by striking*
24 *"widow" and inserting "surviving spouse";*
25 *and*

1 (iii) by striking the last sentence; and

2 (B) in subsection (c), by striking “his
3 claim” and inserting “the claim”;

4 (6) in section 414 (30 U.S.C. 924)—

5 (A) in subsection (a)—

6 (i) in paragraph (1), by striking
7 “widow, within six months after the death
8 of her husband” and inserting “surviving
9 spouse, within six months after the death of
10 the miner”; and

11 (ii) in paragraph (2)(C), by striking
12 “his” and inserting “the child’s”; and

13 (B) in subsection (e)—

14 (i) by striking “widow” and inserting
15 “surviving spouse”; and

16 (ii) by striking “his death” and insert-
17 ing “the miner’s death”;

18 (7) in section 415(a) (30 U.S.C. 925(a))—

19 (A) in paragraph (1), by striking “Internal
20 Revenue Code of 1954” and inserting “Internal
21 Revenue Code of 1986”; and

22 (B) in paragraph (2)—

23 (i) by striking “he” and inserting
24 “such Secretary”; and

1 (ii) by striking “him” and inserting
2 “such Secretary”;

3 (8) in section 421 (30 U.S.C. 931)—

4 (A) in subsection (a), by striking “widows”
5 and inserting “spouses”; and

6 (B) in subsection (b)(2)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “he” and inserting
9 “such Secretary”; and

10 (ii) in subparagraph (F), by striking
11 “promulgated by him” and inserting “pro-
12 mulgated by such Secretary”;

13 (9) in section 422 (30 U.S.C. 932)—

14 (A) in subsection (a)—

15 (i) by striking “Internal Revenue Code
16 of 1954” and inserting “Internal Revenue
17 Code of 1986”; and

18 (ii) by striking “he” and inserting
19 “such Secretary”;

20 (B) in subsection (i)(4), by striking “Inter-
21 nal Revenue Code of 1954” and inserting “Inter-
22 nal Revenue Code of 1986”; and

23 (C) in subsection (j), by striking “Internal
24 Revenue Code of 1954” each place it appears
25 and inserting “Internal Revenue Code of 1986”;

1 (10) in section 423(a) (30 U.S.C. 933(a)), by
2 striking “he” and inserting “such operator”;

3 (11) in section 424(b) (30 U.S.C. 934(b))—

4 (A) in the matter following subparagraph
5 (B) of paragraph (1), by striking “him” and in-
6 serting “such operator”;

7 (B) in paragraph (3), by striking “Internal
8 Revenue Code of 1954” each place it appears
9 and inserting “Internal Revenue Code of 1986”;
10 and

11 (C) in paragraph (5), by striking “Internal
12 Revenue Code of 1954” and inserting “Internal
13 Revenue Code of 1986”;

14 (12) in section 428 (30 U.S.C. 938)—

15 (A) in subsection (a), by striking “him”
16 and inserting “such operator”; and

17 (B) in subsection (b)—

18 (i) in the first sentence, by striking
19 “he” and inserting “the miner”;

20 (ii) in the third sentence, by striking
21 “he” and inserting “the Secretary”;

22 (iii) in the ninth sentence—

23 (I) by striking “he” each place it
24 appears and inserting “the Secretary”;
25 and

1 (II) by striking “his” and insert-
2 ing “the miner’s”; and
3 (iv) in the tenth sentence, by striking
4 “he” each place it appears and inserting
5 “the Secretary”; and
6 (13) in section 430 (30 U.S.C. 940)—
7 (A) by striking “1977 and” and inserting
8 “1977,”; and
9 (B) by striking “1981” and inserting
10 “1981, and the Black Lung Benefits Improve-
11 ment Act of 2022, and any amendments made
12 after the date of enactment of such Act,”.

13 **SEC. 302. SEVERABILITY.**

14 If any provision of this Act or any amendment made
15 by this Act, or the application of a provision of this Act
16 or an amendment made by this Act to any person or cir-
17 cumstance, is held to be unconstitutional, the remainder of
18 this Act, and the application of the provisions to any person
19 or circumstance, shall not be affected by the holding.

Union Calendar No. 483

117TH CONGRESS
2^D Session

H. R. 6102

[Report No. 117-589, Part I]

A BILL

To ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as “black lung disease”), and for other purposes.

DECEMBER 23, 2022

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed