

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. C. R. No. 5**

**Representative Cera**

**Cosponsors: Representatives Holmes, G., Kelly, Brown, Rogers, Vitale, Seitz,  
Jones, Galonski, Smith, K., O'Brien, Crossman, Clites, Skindell, Crawley**

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**A C O N C U R R E N T R E S O L U T I O N**

To urge the Congress of the United States to enact the 1  
American Miners Act of 2019. 2

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
OHIO (THE SENATE CONCURRING):**

WHEREAS, When faced with the prospect of a long strike that 3  
could hamper post-war economic recovery, President Harry Truman 4  
issued an Executive Order in 1946 directing the Secretary of the 5  
Interior to take possession of all bituminous coal mines in the 6  
United States and negotiate with the United Mine Workers of 7  
America for "appropriate changes in the terms and conditions of 8  
employment" of coal miners. After a week of negotiations, the 9  
Krug-Lewis agreement was announced and signed in the White House 10  
with President Truman as a witness; and 11

WHEREAS, The agreement created a welfare and retirement 12  
fund that guaranteed lifetime payments to miners and their 13  
dependents and survivors for retirement and in cases of 14  
sickness, permanent disability, and death, and also created a 15  
separate medical and hospital fund; and 16

WHEREAS, The federal government returned control of the 17  
mines to the companies in 1947 and a new collective bargaining 18

agreement was reached that guaranteed retirement benefits to 19  
miners and their dependents and survivors for life; and 20

WHEREAS, For the last 70 years, coal miners have bargained 21  
for funds to be dedicated to their health care in retirement 22  
because they knew that they would be sicker than the average 23  
senior citizen, with more nagging injuries and a greater risk of 24  
coal workers' pneumoconiosis, or black lung disease, or some 25  
other cardiopulmonary disease; and 26

WHEREAS, More than 105,000 miners have been killed on the 27  
job in the last century and more than 100,000 have passed from 28  
coal workers' pneumoconiosis or black lung disease, and knowing 29  
these risks, miners have continued to go to work every day to 30  
provide for their families and build a secure future for 31  
themselves and produce the fuel that has allowed America to 32  
become the most powerful nation on earth; and 33

WHEREAS, Congress passed and President George H.W. Bush 34  
signed the Coal Act into law in 1992, which established an 35  
industry-funded mechanism for paying for the health care of 36  
retired miners whose companies had gone out of business. In 37  
2006, Congress and President George W. Bush amended the Coal Act 38  
to expand the financial resources available to the fund; and 39

WHEREAS, Tens of thousands of jobs have been eliminated in 40  
America's coalfields and multiple companies have filed for 41  
bankruptcy and received approval from bankruptcy courts to shed 42  
their retiree obligations, leaving more than 26,000 retirees 43  
confronting the loss of their health care benefits; and 44

WHEREAS, The 1974 United Mine Workers of America Pension 45  
Fund lost a significant portion of its value in the 2008 46  
recession and will not receive enough contributions from 47  
employers to make up the shortfall, likely resulting in the Fund 48  
becoming insolvent by 2022; and 49

WHEREAS, Congress passed a Continuing Resolution on 50  
December 9, 2016, to provide \$45 million for continued health 51  
care benefits for these retirees and their families until April 52  
30, 2017; and 53

WHEREAS, The American Miners Act of 2019 (S. 27) would 54  
amend the Surface Mining Control and Reclamation Act of 1977 to 55  
supplement the 1974 United Mine Workers of America Pension Fund 56  
and safeguard the pensions of 87,000 current beneficiaries and 57  
20,000 retirees whose pensions have vested; and 58

WHEREAS, The American Miners Act of 2019 would provide 59  
health care and benefits to more than 25,000 miners and their 60  
dependents by extending for ten years the Black Lung Disability 61  
Trust Fund tax; now therefore be it 62

RESOLVED, That the United States has an obligation to 63  
retired coal miners for the sacrifices they have made to provide 64  
the full measure of benefits that these retirees were promised 65  
and have earned; and be it further 66

RESOLVED, That we, the members of the 133rd General 67  
Assembly of the State of Ohio, in adopting this resolution, urge 68  
the Congress of the United States to enact the American Miners 69  
Act of 2019; and be it further 70

RESOLVED, That the Clerk of the House of Representatives 71  
transmit duly authenticated copies of this resolution to the 72  
Speaker and Clerk of the United States House of Representatives, 73  
the President Pro Tempore and Secretary of the United States 74  
Senate, each member of the Ohio Congressional delegation, and 75  
the news media of Ohio. 76