

As Introduced

**133rd General Assembly
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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**

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