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H. MORGAN GRIFFITH  
9TH DISTRICT, VIRGINIA

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May 1, 2015

The Honorable Thomas E. Perez  
Secretary  
US Department of Labor  
200 Constitution Avenue NW  
Washington, DC 20210

Dear Secretary Perez,

RECEIVED  
2015 MAY -6 AM 10:58  
EXEC. SECRETARIAT  
OSEC-DOJ  
DEPT. OF LABOR  
WASH. D.C. 20210

I write to express my support for the Department of Labor's proposed regulations on the Black Lung Benefits Act. As the Representative of Virginia's Ninth Congressional District, protecting the jobs, health and welfare of our miners in Southwest Virginia is one of my top priorities.

I commend your agency for the steps it is taking to provide open access to all medical records for individuals that are making benefit claims. I believe it is necessary for miners and the coal companies to each have full access to all of the medical evaluations in a given case. This is especially important for miners without proper legal representation who would have a difficult time navigating the discovery process and having incomplete information when making their case. Not only does this proposed rule level the playing field in claims cases, but it also can prevent harm to a miner who might not be aware of medical problems that he or she may have, which was demonstrated in the tragic case of Mr. Gary Fox.

Likewise, the proposed rule allows both sides to utilize each other's medical experts and evaluations as one of the pieces of evidence that they can submit in the claims case. By allowing all parties access to and the right to use the best evidence, we will ensure that cases are decided with the fullness of evidence.

Our coal miners perform a hard, thankless job to provide the energy that keeps our lights on. As they are exposed to coal and other dust in the line of duty, we have an obligation to ensure that they are taken care of and can successfully obtain the benefits they have earned under the Black Lung Benefits Act. I look forward to this regulations being finalized and this reasonable standard for the sharing of medical records can be utilized by miners in all claims cases moving forward.

Sincerely,

H. MORGAN GRIFFITH  
Member of Congress