

108TH CONGRESS  
2D SESSION

# H. R. 5383

To clarify that certain coal industry health benefits may not be modified  
or terminated.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2004

Mr. RAHALL (for himself, Mr. COSTELLO, Mr. BOUCHER, and Mr. STRICK-  
LAND) introduced the following bill; which was referred to the Committee  
on Ways and Means

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## A BILL

To clarify that certain coal industry health benefits may  
not be modified or terminated.

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. PROTECTION OF COAL INDUSTRY HEALTH**  
4       **BENEFITS.**

5       (a) PROHIBITION ON TERMINATION OR MODIFICA-  
6       TION OF BENEFITS.—Section 9711(g) of the Internal  
7       Revenue Code of 1986 (relating to rules applicable to this  
8       part and part II) is amended by adding at the end the  
9       following:

1           “(3) PROHIBITION ON TERMINATION AND MODI-  
2           FICATION OF BENEFITS.—Except as provided in  
3           subsection (d), the benefits required to be provided  
4           by a last signatory operator under this chapter may  
5           not be terminated or modified by any court in a pro-  
6           ceeding under title 11 of the United States Code or  
7           by agreement at any time when such operator is  
8           participating in such a proceeding.”.

9           (b) EFFECTIVE DATE.—The amendments made by  
10          this section shall take effect on January 1, 2004.

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