

# United States Senate

WASHINGTON, DC 20510

January 10, 2006

The Honorable Michael B. Enzi  
Chairman  
Senate Committee on Health, Education  
Labor, and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Edward M. Kennedy  
Ranking Democratic Member  
Senate Committee on Health, Education  
Labor, and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Enzi and Senator Kennedy:

As Senators representing coal-producing states, we are writing to formally request a series of hearings in the Senate Committee on Health, Education, Labor, and Pensions (HELP) dedicated to a comprehensive analysis of coal mine safety. Congress has conducted no comprehensive oversight hearings of the Mine Safety and Health Administration (MSHA) since at least 2001. We are particularly concerned about budget and staffing levels at the agency, including planned retirements, which Congress has yet to address. In the meantime, 471 coal mine fatalities have occurred in twenty states since 1993.

We make this request while the tragedy of last week's Sago Mine disaster is fresh in the minds and hearts of us all. We know that miners, retirees, and their families throughout the country are well aware of the risks inherent in working in even the safest mines, but we must work to minimize those risks so that such a tragedy never occurs again. For those of us from coal mining states, and for the people we represent, these twelve miners lost in Upshur County, West Virginia are very much tragedies in our own communities. We know too that all Americans who followed this unfolding catastrophe join us in seeking answers, and in wanting Congress to act in a bipartisan fashion to prevent similar calamities in the future.

Over many days of coverage of the Sago Mine disaster, many Americans may have been surprised to learn that coal produces more than half of this nation's electricity, and that the nation has proven coal reserves that will carry us into the next century and beyond. The current high cost and volatility of natural gas, as well as technological advances in the fields of coal gasification and liquefaction, will only increase the demand for and importance of coal in the nation's energy and economic mix.

We appreciate and welcome the immediate interest in this issue shown by both the Chairman and the Ranking Member. We believe the confirmation process for the President's nominee to run MSHA, Richard Stickler, may provide some opportunity to examine the state of mine safety. However, as Mr. Stickler cannot be fairly made to answer for policies, procedures, and practices that he would inherit as Assistant Secretary of Labor for Mine Safety and Health,

we believe additional HELP Committee activity beyond the Stickler nomination may be required. We seek a thorough congressional review of miner training procedures, industry safety practices, new proposals and developing technologies to improve miner safety, as well as careful consideration of current and future federal regulatory oversight. We believe strongly that the miners who risk death or serious injury to enable our economy to thrive deserve nothing less than our utmost efforts to guarantee a safe working environment.

Each of us looks forward to the opportunity to work together with the Chairman and Ranking Member to improve mine safety. We anxiously await and will closely monitor the MSHA investigation at Sago Mine. At the same time, with demand for coal increasing, we hope with the cooperation of the HELP Committee and experts from government, industry, labor, and worker safety organizations, to develop policies to benefit the entire coal mining community. We look forward to sending strong, bipartisan mine safety legislation to the President for his signature before the end of the year. The miners who died at Sago deserve no less.

Sincerely,

Jay Byrnes

Ernie Beyer

Paul Sarbanes

Bill DeLoach

Rick Santorum

Mike McConnell

Robert C. Byrd

Richard Shelby

Dick Durbin

Jim Bunning

Ken Salazar

Rick Lugar